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Fifteenth report of the Secretary-General on the implementation of Security Council resolution 1701 (2006)

I. Introduction

1. The present report provides a comprehensive assessment of the implementation of Security Council resolution 1701 (2006) since the last report of the Secretary-General was issued on 1 November 2010 (S/2010/565).

2. The situation in the area of operations of the United Nations Interim Force in Lebanon (UNIFIL) remained generally stable during the reporting period and the cessation of hostilities established in August 2006 between the parties continues to hold. The parties reiterated their commitment to the implementation of resolution 1701 (2006), as confirmed respectively in a letter sent to me by the Minister for Foreign Affairs of Israel on 9 February, and in the position paper attached to the identical letters dated 26 January from the Permanent Representative of Lebanon to the President of the Security Council and me (A/65/708-S/2011/47). The commitment of the Government of Israel and the future Government of Lebanon will be fundamental for the continued implementation of resolution 1701 (2006) and for further progress to be made in that respect. Key obligations of the parties remain to be implemented, as described in further detail in the present report. The parties should make every effort to meet their obligations under the resolution so that they may progress from the current cessation of hostilities towards a permanent ceasefire, as called for in resolution 1701 (2006).

3. The divergent positions of the 14 March coalition, led by Prime Minister Hariri, and of Hizbullah and its allies in the 8 March coalition, over the Special Tribunal for Lebanon led to a serious political crisis and paralysis of the Government of national unity for most of the reporting period. On 12 January, the Government collapsed, as 11 Ministers, prompted by a decision of the 8 March coalition, tendered their resignations to President Sleiman. This situation was not conducive for progress regarding the implementation of Lebanon's obligations under resolution 1701 (2006) during the reporting period. Further to constitutionally mandated consultations with all parliamentary groups, President Sleiman requested, on 25 January, that Najib Mikati form a new Government. In a meeting with my Special Coordinator for Lebanon on 28 January, Mr. Mikati expressed his full commitment to the implementation of resolution 1701 (2006).

4. The collapse of the Government created a tense political situation, with a number of demonstrations in support of caretaker Prime Minister Hariri taking place

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on 24 and 25 January, mostly in the northern city of Tripoli and in Sunni areas of Beirut. The demonstrations, which included some acts of vandalism, ended as Prime Minister Hariri called for calm.

II. Implementation of resolution 1701 (2006)

5. On 18 December 2010, the Permanent Representative of Lebanon to the United Nations, through identical letters addressed to the President of the Security Council and to me (A/65/663-S/2010/655), transmitted a complaint alleging that Israel had planted two devices for electronic surveillance concealed in artificial rocks in two different locations in the mountains of Lebanon, outside the area of responsibility of UNIFIL, which were reportedly dismantled by the Lebanese Armed Forces on 15 December 2010.

A. Situation in the UNIFIL area of operations

6. During the reporting period, the situation in the UNIFIL area of operations was generally quiet and stable. The overall number of violations and incidents decreased.

7. The Israel Defense Forces continued its occupation of the northern part of Ghajar village and an adjacent area of land north of the Blue Line, in violation of resolution 1701 (2006). On 17 November, the Government of Israel accepted, in principle, the United Nations proposal for a withdrawal of the Israel Defense Forces from the northern part of Ghajar and its redeployment south of the Blue Line. In this context, my Special Coordinator and the UNIFIL Force Commander have since engaged closely with both parties on the implementation of the proposal. These discussions are continuing. Israeli officials recently informed my Special Coordinator and me that the Government of Israel has made significant progress in addressing the necessary arrangements for the withdrawal and stressed the commitment of the Government of Israel to the implementation of the proposal.

8. Almost daily intrusions into Lebanese airspace by Israel Defense Forces aircraft continued, including an increasing number of fighter jets during the reporting period. These overflights constitute violations of resolution 1701 (2006) and of Lebanese sovereignty. UNIFIL protested all air violations and asked Israel to cease them immediately. The Government of Lebanon also protested the air violations, demanding that they immediately stop. The Government of Israel maintained that the overflights were necessary security measures, citing, inter alia, the alleged lack of enforcement of the arms embargo.

9. In the afternoon of 3 December 2010, the Lebanese Armed Forces informed UNIFIL that during excavations that were carried out by Lebanese workers earlier that day, an explosion occurred in the vicinity of Majdal Silim (Sector West) resulting in the injury of two civilians. The Lebanese Armed Forces immediately secured the area, with the support of UNIFIL. The following day, within the vicinity of the explosion site, UNIFIL and the Lebanese Armed Forces found what appeared to be the remains of a buried device, having contained electrical wires, circuits and boards, as well as batteries. In a 6 December 2010 letter (A/65/614-S/2010/624), the Government of Lebanon asserted that the incident occurred when Israel detonated listening devices planted inside Lebanese territory once they had been discovered by

Lebanese workers. UNIFIL immediately launched an investigation, seeking access to evidence from the Lebanese Armed Forces. Despite repeated requests, UNIFIL has not been shown either the interview reports citing the testimonies of the two persons injured in the incident, or the remnants of what allegedly constituted an Israeli sensor. Additionally, the Israel Defense Forces was requested to provide UNIFIL with any pertinent information it might have. The Israel Defense Forces informed UNIFIL that it did not have any information related to the incident and could neither confirm nor deny the claim by the Government of Lebanon. The UNIFIL investigation is ongoing, with the aim of establishing the facts regarding the incident and whether a violation of resolution 1701 (2006) occurred.

10. UNIFIL completed its investigation into the 3 September 2010 explosion at a house in Shahabiye (Sector West) and shared the report with the parties in November 2010. Owing to the fact, as stated in my last report (S/2010/565), that possible evidence had been tampered with or removed before the UNIFIL investigation team was allowed access to the incident site, the UNIFIL investigation was not able to determine the cause of the explosion, whether the incident had been caused by the presence of unauthorized arms and related materiel or whether the house had been used for other activities in contravention of resolution 1701 (2006). Israeli officials have questioned UNIFIL's conclusions of the investigation, as, in their view, the available information was sufficient to deduce that, in violation of resolution 1701 (2006), unauthorized weapons, which had been present at the location, had been removed by armed elements. The Lebanese Armed Forces investigation report, which was shared with UNIFIL, concluded that there was no evidence of bomb fragmentation or explosives material residues at the site. UNIFIL is discussing with the Lebanese Armed Forces how best to improve the joint operational response in the event of such incidents.

11. On 12 January, the Israel Defense Forces apprehended a Lebanese shepherd in the vicinity of Rmeish (Sector West). A UNIFIL investigation to establish the nature of the Blue Line violation is ongoing. The shepherd was handed over the following day at the Ra's Naqoura crossing point to UNIFIL, which, in turn, handed him over to the Lebanese authorities. In identical letters dated 28 January 2011 to the President of the Security Council and to me (A/65/709-S/2011/48), the Permanent Representative of Lebanon to the United Nations asserted that in the course of that incident an Israel Defense Forces patrol had violated the Blue Line. There were other ground violations of the Blue Line, primarily inadvertent, by shepherds and farmers tending livestock or working in their fields mainly in the Shab'a Farms and Kfar Shouba areas (Sector East). On a few occasions, UNIFIL observed civilians throwing stones or bottles at the Israeli technical fence in the general areas of Kafr Kila and El Adeisse (Sector East). UNIFIL continued to work closely with the Lebanese Armed Forces to curb such activities and urged the Israel Defense Forces to inform UNIFIL of any violations, rather than taking action. Commendably, both parties cooperated with UNIFIL on 13 November in the rescue of an elderly woman who was trapped in concertina wire in a minefield between the Blue Line and the technical fence near Al Bustan (Sector West).

12. The visible marking of the Blue Line continued slowly within the previously agreed five sectors, comprising a total of 38 kilometres. The marking process requires the clearance of minefields and the disposal of unexploded ordnance in order to create safe access for measuring the coordinates and constructing the Blue Line markers. In the five agreed sectors, 87 markers are in place out of an estimated 171. UNIFIL

deminers have cleared access to an additional 134 points to be marked. Following the special tripartite meeting dedicated to the process of visibly marking the Blue Line on 18 August, both parties signalled their readiness to engage in the process with a renewed commitment to find practical solutions on the ground and accelerate the process. However, since that time, a lack of flexibility and pragmatism in the parties' approach to finding practical solutions to contentious points has resulted in delays. To date, UNIFIL has been unable to find common ground to commence measuring coordinates in Sector 4 or to open up a new sector.

13. The construction of 7 of the planned 11 road links of the Lebanese Armed Forces Blue Line road was completed, with the assistance of UNIFIL engineering assets.

14. UNIFIL observed three cases of weapons' pointing across the Blue Line between the Lebanese Armed Forces and the Israel Defense Forces. When possible, UNIFIL interposed itself between Lebanese Armed Forces and Israel Defense Forces soldiers, seeking to reduce tensions, and protested such behaviour. In addition, on one occasion, an Israel Defense Forces soldier pointed his weapon at a UNIFIL soldier.

15. Cooperation between UNIFIL and the Lebanese Armed Forces remains a cornerstone of implementing resolution 1701 (2006). As called for in Security Council resolutions, efforts between UNIFIL and the Lebanese Armed Forces to expand their coordinated activities and further develop cooperation continued. The two Forces maintained their respective installations and continued their daily operational activities, comprising patrols, checkpoints and observation points. For its part, UNIFIL conducted an average of 300 patrols per day, in addition to regular helicopter patrols. Joint Lebanese Armed Forces and UNIFIL operational activities also continued, including an average of 14 counter-rocket launching operations during each 24-hour period and 8 daily foot patrols, while operating 18 co-located check points, six of which are on the Litani River. The Lebanese Armed Forces maintained its deployment in the UNIFIL area of operations at the level of four brigades. As at the end of January, two Lebanese Armed Forces battalions left the UNIFIL area of operations to reinforce deployments elsewhere in the country. During the reporting period, the Lebanese Armed Forces established a Civil-Military Cooperation Section at its South Litani Sector headquarters in Tyre.

16. UNIFIL and the Lebanese Armed Forces continued to carry out joint exercises and training activities on land and at sea.

17. With the exception of obstructions detailed below, UNIFIL generally enjoyed freedom of movement throughout its area of operations, carrying out approximately 10,000 patrols each month. On a few occasions, patrols were stopped by local civilians. On 7 December, near Majdal Silim, civilians approached a UNIFIL static patrol in the vicinity of the site of the 3 December explosion referred to above and protested its presence in the area, exhibiting unfriendly behaviour towards the patrol. In an effort to calm the situation, the patrol moved to a different location nearby and continued monitoring the area. On 16 December, during commemorations for the last day of Ashura in the vicinity of At-Tiri (Sector West), a UNIFIL patrol encountered a small group of civilians that grew to over 70 within an hour, showed unfriendly behaviour towards the patrol, removed part of a vehicle antenna and blocked the patrol's movement. Lebanese Armed Forces personnel that had arrived on the scene calmed the situation. To resolve the standoff, the patrol agreed to the demand to hand over its tactical vehicle laptop to the Lebanese Armed Forces,

which was returned to UNIFIL later that day. In the most serious incident, on 1 January, a civilian jumped out of a vehicle onto a UNIFIL patrol vehicle, hit a UNIFIL soldier, snatched his camera and mobile phone from a pocket in his flak jacket and subsequently fled in the vehicle. The Lebanese Armed Forces is investigating the incident. The camera, without its memory card, and the mobile phone were returned to UNIFIL two days later. The UNIFIL Force Commander strongly protested the incident to the Lebanese Armed Forces. In addition, there were four incidents when stones were thrown at UNIFIL patrols.

18. On three occasions, laser beams were pointed at UNIFIL troops, including twice at a UNIFIL helicopter conducting night landings, which temporarily blinded the UNIFIL pilot. To prevent such dangerous actions from recurring, the Lebanese Armed Forces has activated observation posts near UNIFIL helipads.

19. With the exception of the incidents reported above, the attitude of the population and local authorities was generally positive. The Civil Affairs Office and the Civil-Military Coordination Units at the headquarters and sector level maintained close contact with local communities to conduct local level liaison and representation and to monitor social, political and economic developments within the area of operations. Their efforts were also aimed at preventing potential conflicts, at mitigating the impact of the operational activities of UNIFIL on the daily lives of local residents, and at ensuring public understanding and support for UNIFIL activities. The provision of humanitarian and infrastructure support and capacity-building training is an essential element of this outreach effort. Quick-impact projects continued to be implemented through troop-contributing countries, as well as the UNIFIL budget.

20. UNIFIL continued to provide assistance to the Lebanese Armed Forces in taking steps towards the establishment between the Blue Line and the Litani River of an area free of any armed personnel, assets and weapons other than those of the Government of Lebanon and of UNIFIL, in accordance with resolution 1701 (2006). This remains a long-term objective.

21. The Government of Israel maintains that Hizbullah is continuing to build up its military presence and capacity, including within the UNIFIL area of operations. It has maintained its claims that the incident in Shahabiye on 3 September was caused by the explosion of a Hizbullah weapons depot, confirming its allegations that Hizbullah is storing and maintaining weapons in villages south of the Litani River in violation of resolution 1701 (2006). It also charges that Hizbullah maintains military positions and units inside populated areas in southern Lebanon and that unauthorized weapons are being transferred into Lebanon, including into the UNIFIL area of operations.

22. In cooperation with the Lebanese Armed Forces, UNIFIL immediately investigates any claim regarding the illegal presence of armed personnel or weapons in its area of operations if specific information is received. UNIFIL remains determined to act with all means available within its mandate and to the full extent provided for in its rules of engagement. Under its mandate, UNIFIL cannot search private houses and properties unless there is credible evidence of a violation of resolution 1701 (2006), including an imminent threat of hostile activity emanating from that specific location. To date, UNIFIL has neither been provided with, nor found, evidence of the unauthorized transfer of arms into its area of operations. The Lebanese Armed Forces Command reconfirmed that it will act immediately on

receiving evidence of unauthorized armed personnel or weapons in the area and put a stop to any illegal activity in contravention of resolution 1701 (2006) and relevant Government decisions, specifically those concerning the illegal presence of armed personnel and weapons south of the Litani River. Furthermore, UNIFIL routinely checked previously discovered former facilities of armed elements in the area of operations, including bunkers and caves, but found no indication that they had been reactivated and no evidence of new military infrastructure in its area of operations.

23. UNIFIL encountered individuals carrying hunting weapons in the area of operations during the reporting period. Lebanese Armed Forces and UNIFIL continue to take action to curb all hunting activities, and the Lebanese Armed Forces has detained a number of individuals and confiscated their weapons. On five occasions several of those individuals purported to be hunters were carrying AK-47s. In addition, armed persons and weapons were present inside Palestinian refugee camps in the area of operations.

24. The UNIFIL Maritime Task Force continued to carry out its dual mandate of conducting maritime interdiction operations in the area of maritime operations and training the Lebanese naval forces. The Lebanese navy continued to make further progress in successfully compiling and maintaining a recognized local maritime surface picture, especially within its own territorial waters, with the assistance of the Coastal Radar Organization. Since its inception in October 2006, the Maritime Task Force has hailed and queried 35,873 vessels, and the Lebanese navy has inspected a total of 865 merchant vessels identified as suspicious, 56 of which were carried out since my last report. Lebanese navy and Customs officials inspected the vessels to verify that there were no unauthorized arms or related materiel on board and cleared all of them. The Maritime Task Force conducted 31 workshops and 93 at-sea training phases during the reporting period. Lebanese navy personnel continued to improve their ability to conduct operations despite continuing limitations resulting from a lack of an adequate number of vessels to endure severe weather conditions.

25. Incidents along the line of buoys continued to occur in somewhat reduced numbers with Israel Defense Forces navy units dropping depth charges or firing flares and warning shots along the buoy line. The Israel Defense Forces stated that these were security measures employed as a matter of procedure when Lebanese fishing vessels approached the line of buoys. UNIFIL has no mandate to monitor the line of buoys, which the Government of Israel installed unilaterally and which the Government of Lebanon does not recognize. Both parties have raised in the tripartite forum the need for a security mechanism to prevent incidents from occurring in the area of the buoy line. UNIFIL stands ready to assist the parties to address matters related to maritime security, with the aim of minimizing the risk of security incidents.

B. Security and liaison arrangements

26. Tripartite meetings, chaired by the UNIFIL Force Commander and attended by senior representatives of the Lebanese Armed Forces and the Israel Defense Forces, remained an essential forum for regular liaison and coordination between UNIFIL and the parties, as well as a key mechanism to address security and military operational issues related to the implementation of resolution 1701 (2006). The

meetings also constitute an important mechanism to build confidence between the parties and contribute towards enhancing stability in the areas along the Blue Line. The exchange of fire on 3 August near El Adeisse and the ongoing impasse on Blue Line marking negatively affected the general atmosphere and discussions in the tripartite forum during the reporting period. However, the parties continued to demonstrate their commitment to the forum, which also addressed investigations into incidents and violations of the resolution. Though not endorsing the UNIFIL investigation report into the 3 August exchange of fire near El Adeisse per se, both parties agreed with some key recommendations of UNIFIL to prevent such an incident from recurring, including the importance of marking the Blue Line and the implementation of operational procedures in sensitive areas. While discussions with the parties are ongoing, UNIFIL is reinforcing its deployment in the Kafr Kila and El Adeisse areas.

27. The first formal strategic dialogue meeting between UNIFIL and the Lebanese Armed Forces took place on 10 November. The Commander of the Lebanese Armed Forces and the UNIFIL Force Commander led the discussion. The Lebanese Government Coordinator with UNIFIL will be the overall coordinator for the Lebanese side; the Deputy Force Commander will guide the process in UNIFIL. Both Forces have established working level entities to drive the process forward. It was agreed at the first meeting that the strategic dialogue forum would jointly prepare its terms of reference and rules of procedure as a matter of priority.

28. UNIFIL and the Lebanese Armed Forces continued their regular interaction at operational and tactical levels through daily liaison by the Lebanese Armed Forces liaison officers located at the UNIFIL Force headquarters and at the sector level, as well as a UNIFIL liaison officer placed at Lebanese Armed Forces headquarters for the South Litani Sector in Tyre.

29. UNIFIL maintained regular and effective liaison and coordination with the Israel Defense Forces. The UNIFIL Force Commander maintained effective relations with his Israel Defense Forces counterparts, as well as with other senior Israeli authorities. UNIFIL continued to place two liaison officers at the Israel Defense Forces Northern Command headquarters in Zefat. No progress has been made in establishing a UNIFIL office in Tel Aviv.

C. Disarming armed groups

30. Lebanese and non-Lebanese militias continue to operate in Lebanon outside of the control of the State, in violation of resolutions 1559 (2004), 1680 (2006) and 1701 (2006). The most significant such group is Hizbullah, which asserts that it maintains a substantial military arsenal separate from that of the Lebanese State for defensive purposes against Israel.

31. During the early hours of 18 January 2011, a few thousand unarmed men organized in groups, reportedly militants of Hizbullah, deployed in various parts of Beirut and other cities. The deployment was widely regarded in Lebanon as a show of strength by Hizbullah on the day that the Prosecutor of the Special Tribunal for Lebanon transmitted to the Pre-Trial Judge of the Tribunal his indictment in the case of the assassination of Rafiq Hariri and other persons in 2005. The deployment also happened a few days ahead of the start of consultations by the Lebanese President with all parliamentary groups for the designation of a new Prime Minister.

32. There was no progress during the reporting period in dismantling the military bases maintained by the Popular Front for the Liberation of Palestine-General Command (PFLP-GC) and by Fatah al-Intifada, in spite of the decisions taken in this regard by the Lebanese National Dialogue in 2006, reiterated since then by subsequent meetings of the National Dialogue, and by the Government of Lebanon in the ministerial statement it adopted in November 2009. These military bases are outside the control of the Lebanese State, with most of them straddling the border between Lebanon and the Syrian Arab Republic. The bases represent a threat to Lebanese sovereignty and challenge Lebanon's ability to manage its land borders. I have called on the Lebanese authorities to dismantle the PFLP-GC and Fatah al-Intifada military bases, and on the Government of the Syrian Arab Republic to cooperate with these efforts.

33. Lebanese authorities point to the good cooperation existing between the Lebanese Armed Forces and Palestinian security officials in the 12 official Palestinian refugee camps in the country. Only one major incident was reported in the Palestinian refugee camps in Lebanon during the reporting period. This involved the assassination in the Ain el-Hilweh camp on 25 December 2010 of Ghandi Sahmarani, a member of the disbanded Jund al-Sham group. Following his murder, a bomb was planted in a building that allegedly belongs to Fatah al-Islam in Ain el-Hilweh; the bomb caused only material damage. Lebanese authorities attributed the assassination to in-fighting between rival groups in Ain el-Hilweh camp.

34. It remains my conviction that the disarmament of armed groups should be achieved through a Lebanese-led political process. Lebanese leaders committed to such a process in May 2008, when they decided to convene a National Dialogue Committee to agree on a national defence strategy, which would have to consider the issue of weapons outside the control of the State. The only session of the National Dialogue Committee called for by President Sleiman during the reporting period, on 4 November 2010, was boycotted by all the representatives of the 8 March coalition, with the exception of Speaker Nabih Berri, who clarified that his participation was in his institutional capacity as Speaker of Parliament, and not as President of Amal Movement. To date, no new meeting of the National Dialogue Committee has been scheduled.

D. Arms embargo

35. In resolution 1701 (2006), the Security Council decided that all States were to prevent the sale or supply of arms and related materiel to entities or individuals in Lebanon by their nationals or from their territories or using their flag vessels or aircraft. The Government of Lebanon did not report any breach of the arms embargo imposed by resolution 1701 (2006). For its part, the Government of Israel continues to allege that Hizbullah has continued to build up its armaments. During a recent visit by my Special Coordinator to Israel, the Government of Israel reiterated its allegations of significant breaches of the arms embargo across the border between Lebanon and the Syrian Arab Republic. While the United Nations takes these allegations seriously, it is not in a position to verify this information independently.

36. The Security Council, in its resolution 1701 (2006), also called upon the Government of Lebanon to secure its borders and other entry points to prevent the entry in Lebanon without its consent of arms and related materiel. No progress was

made by the Government of Lebanon towards adopting the draft strategy for border management that was developed by the National Coordinator, appointed in March 2010 for this task, in consultation with Lebanon's four security agencies and other relevant stakeholders. On 2 December 2010, my Special Coordinator for Lebanon chaired a meeting of donors providing support to Lebanon for improved border management. Donors agreed to continue to share information and coordinate their projects of support to the Lebanese authorities for border management, while recognizing that the lack of a comprehensive strategy forced them to engage separately with the different security agencies that are involved in border management. Donors also recognized that the lack of an approved strategy rendered funding for these projects more uncertain.

37. Lebanese authorities informed my Special Coordinator that the deployment of security personnel for the management of the border remains unchanged. The Common Border Force, comprising around 700 staff from Lebanon's four security agencies (Armed Forces, Internal Security, General Security and Customs), continues its operations along the northern border with the Syrian Arab Republic. A serious incident involving the Common Border Force took place during the night of 5 November, when one of its patrols intercepted, in the vicinity of the Akkar village of Wadi Khaled, a group of men who were smuggling diesel into Lebanon. The men opened fire on the patrol. In the fighting that ensued two of the smugglers were killed. The following day, a crowd from Wadi Khaled attacked the Common Border Force at the crossing point of Bokaya. The Common Border Force repelled the attack, which resulted in two more casualties among the assailants.

38. On the eastern border, the Lebanese Army continues to deploy around 600 troops, and the Internal Security Forces around 200 personnel, along a stretch of 80 kilometres immediately adjacent to the area of operations of the existing Common Border Force, up to Arsal. The Lebanese Armed Forces is still planning to deploy a third border regiment that would operate between the village of Arsal and the main crossing point of Masnaa.

39. The effective management of the border between Lebanon and the Syrian Arab Republic continues to be adversely affected by the fact that it is neither delineated nor demarcated, and by the continued presence of PFLP-GC and Fatah al-Intifada military bases that straddle the border between the two countries.

E. Landmines and cluster bombs

40. The Lebanese Mine Action Centre continues to coordinate humanitarian clearance operations in southern Lebanon through the Regional Mine Action Centre in Nabatiye. The United Nations Mine Action Coordination Centre continues to liaise between UNIFIL and the Regional Centre in respect of operations, accreditation and quality assurance. During the reporting period, three additional cluster bomb strike locations were recorded, bringing the total to 1,127.

41. During the reporting period, one incident occurred, involving unexploded ordnance, resulting in two injuries to demining personnel. The incident brings the total number of fatalities and injuries among demining personnel resulting from clearance activities since August 2006 to 62, with 14 fatalities and 48 injuries, while the number of incidents among civilians remains 285, consisting of 30 fatalities and 255 injuries.

F. Delineation of borders

42. The Security Council, in paragraph 4 of its resolution 1680 (2006), strongly encouraged the Government of the Syrian Arab Republic to respond positively to the request by the Government of Lebanon to delineate their common border, especially in those areas where the border is uncertain or disputed. This would constitute a significant step towards improved management of the border and guaranteeing Lebanon's sovereignty, territorial integrity and political independence. The Council reiterated that call in its resolution 1701 (2006).

43. No progress was registered during the reporting period with regard to the delineation and demarcation of the border between Lebanon and the Syrian Arab Republic. The commitments reflected in the outcome of the summit meetings between President Assad and President Sleiman in August 2008 and June 2010 have not yet been translated into practical measures towards border delineation and demarcation. The joint Lebanese-Syrian border committee that is tasked with these matters has yet to convene.

44. Nor was any progress recorded on the issue of the Shab'a Farms area. In spite of my repeated requests, I have not received any responses from the Syrian Arab Republic or Israel regarding the provisional definition of the area contained in my report on the implementation of resolution 1701 (2006), issued on 30 October 2007 (S/2007/641).

45. In a letter I received dated 4 January, the Minister for Foreign Affairs of Lebanon raised the issue of the maritime delimitation of the southern boundaries of Lebanon's exclusive economic zone and Lebanon's right to exploit the resources it contains. The issue has also been raised by the Minister for Foreign Affairs and the Speaker of Parliament in meetings with my Special Coordinator in Beirut. The Government of Lebanon has, in accordance with the relevant provisions of the United Nations Convention on the Law of the Sea, to which it is a party, deposited with me geographical coordinates of its exclusive economic zone, and has expressed concern for the protection of the resources of that area.

46. In the response I wrote to the caretaker Minister for Foreign Affairs of Lebanon on 7 February, I took due note of Lebanon's deposit of the coordinates of its exclusive economic zone. I recalled that, according to the law of the sea, it was expected that the delimitation of maritime boundaries between States with adjacent coasts should be done by agreement on the basis of international law, in order to achieve an equitable solution. I noted that the United Nations does not pronounce itself on the delimitation of boundaries, or on issues related to the entitlement to natural resources, unless it is mandated to do so by a competent United Nations organ or is otherwise requested by all the parties concerned. Yet, I assured the Minister for Foreign Affairs that the United Nations Secretariat stood ready, should the concerned parties request or agree to my involvement, to provide assistance in the delimitation of the maritime boundary, including good offices and technical assistance, such as geographic information system expertise. I further stated that the United Nations Secretariat stood ready to pursue, with the agreement of the parties, all appropriate avenues to ensure that the exploration and exploitation of resources in the respective maritime zones declared by Lebanon and by Israel did not become a new source of friction or conflict between the parties.

47. Regarding the concerns raised on the line of buoys, I reiterated in the same letter the positions stated above in paragraph 25, and I noted that, at the request of the Government of Lebanon, the role of the UNIFIL Maritime Task Force was limited to assisting the Lebanese Armed Forces navy in preventing the unauthorized entry of arms or related materiel by sea into Lebanon. The UNIFIL area of maritime operations was established as a practical means to comply with the request of the Government of Lebanon, and has no bearing on any maritime boundaries that might be established in the area. While noting that UNIFIL did not have the authority to establish a maritime boundary, I fully endorsed in my letter the efforts of UNIFIL to encourage the Lebanese Armed Forces and the Israel Defense Force to utilize the tripartite forum to address matters related to maritime security, including the line of buoys, with the aim of minimizing the risk of security incidents.

III. Security and safety of the United Nations Interim Force in Lebanon

48. The security and safety of UNIFIL staff remains a priority. Notwithstanding the obligation of all parties to ensure the safety and security of UNIFIL and the responsibility of the Government of Lebanon to maintain law and order, UNIFIL continues applying risk mitigating measures, including safety awareness training for personnel and force protection works for installations and assets while ensuring mandate implementation. The Mission's security plans and risk mitigating measures are reviewed regularly. UNIFIL, the Lebanese authorities and the Lebanese Armed Forces regularly continued to cooperate to ensure that security threats, which the Mission continued to receive during the reporting period, were addressed appropriately.

49. UNIFIL continued to observe proceedings in the Lebanese military court against individuals accused of forming armed groups to carry out attacks against UNIFIL. On 10 January 2011, four sentences were handed out, one in absentia, for prison terms ranging between 10 and 20 years for an attempted attack against UNIFIL along the coastal road in Tyre in July 2007. One of those initially accused was a former leader of Fatah al-Islam, who was killed on 13 August 2010. Court proceedings continue in two cases, with a total of 19 persons accused of possessing explosives and planning and conducting terrorist attacks against the Lebanese Armed Forces and UNIFIL.

IV. Deployment of the United Nations Interim Force in Lebanon

50. As at 15 February 2011, the total military strength of UNIFIL was 11,874, including 495 women. The Mission has 341 international and 659 national civilian staff members, of whom 96 and 168, respectively, are women. UNIFIL is also supported by 54 United Nations Truce Supervision Organization military observers of the Observer Group Lebanon, two of whom are women. On 18 November 2010, the Belgian Engineering Company left the Mission. On the same day, a Cambodian Engineering Company arrived in UNIFIL, while a Sri Lankan Force Protection Company arrived on 16 December 2010. Also on 16 December, the French tank company of UNIFIL's quick reaction force left the Mission and was replaced by a

light-armoured vehicles company. The Tanzanian Military Police Company will be fully deployed in early March 2011. The implementation of recommendations of the joint Department of Peacekeeping Operations/UNIFIL technical review, including the recommended adjustments to the force structure, assets and requirements, is ongoing.

51. I am grateful to the Government of Brazil for having stepped forward to assume the leadership of the Maritime Task Force. A flag officer and other personnel of the Maritime Task Force staff deployed to the Mission on 15 February. The Maritime Task Force currently comprises eight out of the operational requirement of nine vessels, and is composed of two frigates, two corvettes, three patrol boats and one supply ship, complemented by two helicopters.

V. Observations

52. I have followed closely the political developments in Lebanon, and I regret that the paralysis of the Government of Lebanon during most of the reporting period prevented progress in the implementation of some of Lebanon's key obligations under resolution 1701 (2006). I trust that the process of Government formation will proceed as smoothly and expeditiously as possible. I call upon the Government to be formed in Lebanon to reiterate its commitment to the full implementation of resolution 1701 (2006) in its ministerial statement, and to take necessary visible steps towards its implementation. At the same time, I also call on the Government of Israel to maintain its commitment to the full implementation of resolution 1701 (2006), and to take necessary visible steps towards its implementation.

53. Within this context, I am pleased by the relative stability and calm that prevailed in the UNIFIL area of operations during the reporting period. The commitment of the Governments of Israel and Lebanon to the provisions of resolution 1701 (2006) and the cessation of hostilities has remained important in this regard. I call on both parties to make the most of the new strategic environment that UNIFIL, in cooperation with the Lebanese Armed Forces, has helped to establish in the area of operations to make further progress in the implementation of resolution 1701 (2006), including respect for the Blue Line in its entirety, and in particular to take the steps necessary to reach a permanent ceasefire.

54. I encourage both sides to make full use of the agreed liaison and coordination arrangements and to work through UNIFIL to find concrete and practical arrangements on the ground to reduce friction, resolve potential disputes and maintain stability. I am pleased by the commitment of the Lebanese Armed Forces and the Israel Defense Forces to work closely with UNIFIL, including on special operational procedures in sensitive areas along the Blue Line as a means to prevent misunderstandings that could escalate tensions and lead to incidents.

55. I am concerned at the lack of substantive progress in the process of visibly marking the Blue Line and urge both parties to proceed in a constructive and pragmatic manner regarding contentious points on the ground. I recall once again that the identification of the Blue Line in 2000 was solely the responsibility of the United Nations for the practical purpose of confirming the withdrawal of the Israel Defense Forces from Lebanon in compliance with Security Council resolution 425 (1978), without prejudice to future border agreements. I therefore call on both parties to renew their efforts and engage constructively with UNIFIL in the process

of visibly marking the Blue Line, with a view to finding pragmatic solutions that may help in preventing violations of the Line.

56. I urge the Government of Israel to carry out, as soon as possible, the withdrawal of the Israel Defense Forces from northern Ghajar and the adjacent area north of the Blue Line. I reiterate that I welcome the decision by the Government of Israel to accept, in principle, the United Nations proposal for such a withdrawal and a redeployment of the Israel Defense Forces south of the Blue Line. This withdrawal would be an important step towards the full implementation of resolution 1701 (2006). My Special Coordinator and the UNIFIL Force Commander will continue to engage closely with both parties to coordinate the implementation of the United Nations proposal. The United Nations intends to continue to work closely with all parties in a process to resolve the long-term status of northern Ghajar consistent with applicable Security Council resolutions, in particular Security Council resolutions 1701 (2006) and 1937 (2010).

57. I am concerned about the continuing high number of violations of resolution 1701 (2006) and Lebanese sovereignty through almost daily overflights of Lebanese territory by the Israel Defense Forces. These overflights exacerbate tensions in the UNIFIL area of operations. They also run counter to UNIFIL objectives and efforts to reduce tensions, and have a negative impact on the credibility of the Lebanese Armed Forces and UNIFIL. I call once again on Israel to cease immediately its overflights.

58. I am concerned about the incidents, although isolated, that impeded UNIFIL's freedom of movement and endangered the safety and security of peacekeepers. The freedom of movement of UNIFIL and the security and safety of its personnel are integral to the effective execution of its tasks, in accordance with resolutions 1701 (2006) and 1773 (2007). The primary responsibility for ensuring freedom of movement to UNIFIL personnel in the area of operations lies with the Lebanese authorities.

59. The Lebanese Armed Forces remains the strategic partner of UNIFIL in the implementation of resolution 1701 (2006) and in maintaining stability in the UNIFIL area of operations. I am encouraged by the commencement of the strategic dialogue between UNIFIL and the Lebanese Armed Forces. I continue to urge the Government of Lebanon to ensure that the Lebanese Armed Forces maintain a presence in the south commensurate with the important tasks it must perform there, in line with Lebanon's obligations under resolution 1701 (2006). In addition, I hope that the Lebanese Armed Forces and UNIFIL will find ways to strengthen incident management and incident investigations.

60. The Lebanese Armed Forces has continued to act with strong commitment and resolve, and its capacity has been gradually strengthened with the assistance of international donors. I am grateful to those countries that provide critical support in equipping and training the Lebanese Armed Forces, including its navy. I urge the international community to increase its support to ensure that the Lebanese Armed Forces has the capacities and capabilities it requires. As the implementation of resolution 1701 (2006) and work in the strategic dialogue progress, the continued material and technical support for the Lebanese Armed Forces will become a critical factor for it to gradually assume greater responsibility in the UNIFIL area of operations and in Lebanese territorial waters.

61. I also wish to commend the UNIFIL Head of Mission and Force Commander and all the military and civilian personnel of UNIFIL who continue to play a critical role in helping to promote peace and stability in southern Lebanon, as well as the Special Coordinator for Lebanon and the staff of his Office.

62. Over the past months, Lebanon has undergone a political crisis over the issue of the Special Tribunal for Lebanon, which has created considerable polarization in the country. This political crisis brought about the paralysis of the Government of national unity and then its collapse on 12 January 2011. The confrontation between the two main political coalitions has been accompanied by heated rhetoric that has, at times, had disturbing confessional overtones. I call upon Lebanese leaders to work towards the country's continued stability, with full respect for its constitutional institutions and all United Nations resolutions pertaining to Lebanon. I further call upon Lebanese leaders to eschew the use of violence and, in particular, to take all possible measures to prevent the use of weapons by their supporters.

63. The presence of Hizbullah and of other armed groups operating outside of the control of the State continues to pose a serious challenge to the ability of the State to exercise its full sovereignty and control over its territory in violation of resolutions 1559 (2004) and 1701 (2006). I continue to believe that the disarmament of armed groups should be carried out through a Lebanese-led political process. In this context, I very much regret that the National Dialogue Committee has been in abeyance since 2009. I believe that the National Dialogue Committee should reconvene as soon as possible. I call on Lebanese leaders to make progress towards the adoption of a national defence strategy that would address armed groups operating outside the control of the State and lead to their disarmament. Furthermore, it is regrettable that again there was no progress in the disarmament of PFLP-GC and Fatah al-Intifada during the reporting period. I reiterate my call on the Government of Lebanon to implement past decisions taken by the National Dialogue with respect to the dismantling of the military bases operated by these groups, and on the Government of the Syrian Arab Republic to cooperate with these efforts.

64. All Member States should do their utmost to prevent transfers of arms and related materiel to entities or individuals in Lebanon without the consent of the Lebanese State. I encourage the Government of Lebanon to further its efforts to control its borders, including by adopting the comprehensive border management strategy that it drafted in 2010. I am grateful to Member States that are providing assistance for the improvement of Lebanon's border management capacity and call upon the international community to support the implementation of Lebanon's comprehensive border strategy once it is adopted.

65. I regret that progress has also been elusive, so far, regarding the delineation and demarcation of the border between Lebanon and the Syrian Arab Republic. Such delineation is necessary to enable Lebanon to extend its control and exercise its full sovereignty over all of its territory, as called for by resolution 1701 (2006). I look forward to concrete steps by Lebanon and the Syrian Arab Republic for the delineation of their border, as called for by resolutions 1680 (2006) and 1701 (2006), and in line with the commitments that have been expressed at summit meetings between both countries. I also intend to continue my diplomatic efforts aimed at resolving the issue of the Shab'a Farms area. I call, once again, upon Israel and the Syrian Arab Republic to submit their responses regarding the provisional definition

of the Shab'a Farms area that I provided on the basis of the best available information.

66. The dismal situation faced by Palestinian refugees living in Lebanon continues to be a matter of concern. While I commend the first steps taken by Lebanon to ease some of the restrictions that applied to access by Palestinian refugees to the labour market, I call on the future Government of Lebanon, building on the commendable efforts spearheaded by the previous two Lebanese Prime Ministers, and on the donor community to ensure that further measures are adopted to improve the living conditions of Palestinian refugees so that their basic human rights are respected. I am also concerned by the continuous funding shortfalls faced by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) both for its regular programmes, aimed at delivering basic services to the Palestinian refugees, and for the reconstruction of the Nahr al-Bared camp. I urge donors, including countries in the region, to continue, and if possible to increase, their support for UNRWA.

67. A recent survey commissioned by UNRWA and carried out by the American University of Beirut estimated that the number of Palestinian refugees actually present in Lebanon is between 260,000 and 280,000. The survey found that two thirds of camp residents are poor, with almost 7 per cent of them extremely poor, i.e., unable to meet their daily essential food needs. It also revealed worrying results related to elevated unemployment levels, high prevalence of chronic illnesses and nutritive deficiencies and widespread inadequate housing. The amendments to the Lebanese Labour Code and Social Security Law adopted in August 2010 are a first step towards improving the prospects of employment for Palestinian refugees in Lebanon. Progress in ensuring the full realization of the human rights of Palestinian refugees is without prejudice to resolution of the Palestinian refugee question in the context of a comprehensive Arab-Israeli peace agreement.

68. I remain keenly aware that the implementation by Israel and Lebanon of their obligations under resolution 1701 (2006) is greatly influenced by dynamics affecting the region as a whole. Tangible progress in the Middle East peace process would facilitate the implementation of key aspects of resolution 1701 (2006) and would contribute to the stability of Lebanon.

69. I call on both Israel and Lebanon to take the necessary steps to achieve what Security Council resolution 1701 (2006) terms a long-term solution governing their relations. The achievement of that solution cannot and should not be dissociated from the need to achieve a comprehensive, just and lasting peace in the Middle East, based on all relevant resolutions of the Security Council, including resolutions 242 (1967), 338 (1973) and 1515 (2003). I call upon the parties and all Member States to work decisively towards this goal.

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General Assembly
Security Council

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General Assembly
Sixty-fifth session
Agenda items 34, 39, 66 and 75

Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Elimination of racism, racial discrimination, xenophobia and related intolerance

Responsibility of States for internationally wrongful acts

Security Council
Sixty-sixth year

Letter dated 22 February 2011 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

As you are aware, the most serious international offences, such as war crimes, crimes against humanity and genocide, were committed in the course of the ongoing aggression of the Republic of Armenia against the Republic of Azerbaijan.

On the night of 25 and 26 February 1992, the armed forces of the Republic of Armenia and the official Yerevan-backed irregular armed bands and terrorist groups, with the direct participation of the infantry guards regiment No. 366 of the former Union of Soviet Socialist Republics, the personnel of which was composed mainly of Armenians, implemented the seizure of the town of Khojaly, situated in the Daghlyq Garabagh (Nagorno Karabakh) region of the Republic of Azerbaijan. The attack and capture of the town involved the extermination of hundreds of Azerbaijanis, including women, children and elderly; thousands of civilians were wounded and taken hostage, many of whom remain missing; while the town was razed to the ground.

The level of brutality in Khojaly is shocking: atrocities included scalping, beheading, bayoneting of pregnant women and mutilation of bodies. The facts confirm that the intentional slaughter of the Khojaly town civilians was directed at their mass extermination only because they were Azerbaijanis. Khojaly was chosen as a stage for further aggression, occupation and the ethnic cleansing of Azerbaijani territories.

Please recycle

Apart from the considerable information in possession of the law enforcement agencies of the Republic of Azerbaijan, the responsibility of the Republic of Armenia and its political and military leadership for the crimes committed in Khojaly is recognized and documented by numerous independent sources, eyewitnesses to the tragedy, as well as admitted by the Republic of Armenia's high-ranking officials and this country's public sources.

In its judgement of 22 April 2010, the European Court of Human Rights arrived at an important conclusion with respect to the massacre in the town of Khojaly, qualifying the behaviour of those carrying out the incursion as "acts of particular gravity which may amount to war crimes or crimes against humanity". The European Court made in this regard the following observation, which leaves no doubt as to the question of responsibility for the crime:

> "It appears that the reports available from independent sources indicate that at the time of the capture of Khojaly on the night of 25 to 26 February 1992 hundreds of civilians of Azerbaijani ethnic origin were reportedly killed, wounded or taken hostage, during their attempt to flee the captured town, by Armenian fighters attacking the town ..." (para. 87).

Against this background, it is notable that the high-ranking officials of the Republic of Armenia cynically regard atrocities committed against Azerbaijani civilians as "glorious victories", which paved the way for their "nation's and ... country's road in modern history" (see, e.g., the statement by President Serzh Sargsyan of the Republic of Armenia of 27 January 2011, available from http://www.president.am/events/statements/eng/?id=85).

The Government of the Republic of Azerbaijan has repeatedly stated, and I have been instructed to point it out once again, that the genocide in Khojaly, along with other grave offences committed in the course of the aggression of the Republic of Armenia against the Republic of Azerbaijan, entails the former's State responsibility under international law and the individual criminal responsibility of those who participated in said acts and their accomplices and accessories.

We proceed from the strong understanding that there can be no long-term and sustainable peace without justice and that ending impunity for the most serious international crimes is essential not only for the purposes of individual criminal responsibility, but also for peace, truth, reconciliation and the rights of the victims.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 34, 39, 66 and 75, and of the Security Council.

(*Signed*) Agshin **Mehdiyev**
Ambassador
Permanent Representative

United Nations S/2011/93

Security Council

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25 February 2011

Original: English

Letter dated 24 February 2011 from the Permanent Representative of Israel to the United Nations addressed to the President of the Security Council

I write in relation to the upcoming report of the Secretary-General regarding the implementation of United Nations Security Council resolution 1701 (2006). As we approach the release of this report, I wish to share with the Security Council our concerns on key issues related to the implementation of this resolution.

First, let me stress that Israel is committed to resolution 1701 (2006), which serves as an important component of regional security, and expects any Government of Lebanon to respect all aspects of the resolution, including issues such as the arms embargo, the disarmament and disbandment of militias, the observance of the Blue Line in its entirety, and other obligations.

Over the past four years, the United Nations Interim Force in Lebanon (UNIFIL) has carried out invaluable work, helping to limit open hostilities between Israel and Lebanon to relatively few instances. Notwithstanding these achievements, significant obstacles stand in the way of full implementation of resolution 1701 (2006).

In particular, we have witnessed a disturbing lack of progress in enforcing the arms embargo in Lebanon, a key element of resolution 1701 (2006) that sought to deny Hizbullah and other terrorist groups the means to build and reconstitute their illegal arsenals. Today Hizbullah remains in possession of more than 55,000 missiles and rockets and continues to focus on acquiring more advanced weaponry. This accumulation of weapons has been accomplished through joint and coordinated illegal arms transfers directly facilitated by the Syrian authorities across the Syrian-Lebanese border.

Unfortunately, despite the passage of more than three years since the publication of the first report of the Lebanon Independent Border Assessment Team, no meaningful action has been taken by the relevant parties to combat illegal weapons transfers. The political situation in Lebanon, or other politically motivated justifications, cannot continue to be invoked in order to excuse further delays on this matter, which is critical for ensuring peace and security in our region.

Israel calls upon the Security Council and the Governments of Lebanon and Syria to take immediate action in preventing the illegal smuggling of weapons into Lebanon. As such, Israel hopes that the upcoming report will offer concrete steps forward to address this matter, accompanied by a realistic timetable.

Please recycle

Another key element of resolution 1701 (2006) is the disarmament and the disbandment of Hizbullah and other militias. However, the same lack of progress that has defined combating illegal weapons transfers also permeates this issue. Hizbullah continues to deploy weapons throughout the civilian villages of southern Lebanon, adjacent to schools, hospitals, houses of worship and residential buildings.

In regard to the presence of weapons south of the Litani River, I wish to once again raise the 3 September 2010 incident in the village of Sheabiyya, during which a series of explosions ripped through a home owned by a Hizbullah operative. Following the incident, the Lebanese Armed Forces (LAF) and UNIFIL forces were denied entrance to the site of the explosion and its surroundings. Although the relevant parties were aware in real time that Hizbullah was tampering with evidence at this site, no action was taken by LAF forces to intervene. In our view, UNIFIL also did not take sufficiently robust action, given the circumstances.

This is only the latest in a number of similar incidents that have occurred in southern Lebanon in the last two years. Unfortunately, these repeated violations of resolution 1701 (2006) indicate a systematic failure in handling such incidents.

In response to the 3 September 2010 incident, the United Nations announced that it would investigate and derive conclusions. The Government of Israel hopes that the lessons learned over the course of this investigation will be concretely manifested on the ground to confront Hizbullah's current modus operandi, especially with regard to Hizbullah's continued deployment of weapons in civilian structures and villages.

In recent months, pursuant to my Government's decision on the matter of the village of Ghajar, Israel remains engaged in discussions with our counterparts in the United Nations regarding this issue.

In regard to the Blue Line, I would like to reiterate Israel's position about the need to respect the Blue Line in its entirety. Observing the clear and explicit demarcations of the Blue Line in its entirety will hope to promote stability in the region and prevent incidents such as the killing of Israeli Lieutenant Colonel Dov Harari by LAF on 3 August 2010.

Finally, I wish to reiterate that Israel fully supports the implementation of resolution 1701 (2006) and the work of UNIFIL, its mandate, and its commanders and soldiers. Israel sincerely appreciates the assistance of troop-contributing countries to this important effort.

I should be grateful if you would have the present letter distributed as a document of the Security Council.

(*Signed*) Meron **Reuben**
Ambassador
Permanent Mission of Israel to the United Nations

United Nations S/2011/94

Security Council

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Note by the President of the Security Council

At its 6335th meeting, held on 9 June 2010 in connection with the item entitled "Non-proliferation", the Security Council adopted resolution 1929 (2010).

In paragraph 4 of the resolution, the Security Council requested the Director General of the International Atomic Energy Agency to communicate to the Security Council all his reports on the application of safeguards in the Islamic Republic of Iran.

Accordingly, the President herewith circulates the report of the Director General dated 25 February 2011 (see annex).

11-24506 (E) 030311

Please recycle

Annex

Letter dated 25 February 2011 from the Director General of the International Atomic Energy Agency addressed to the President of the Security Council

I enclose herewith the report requested by the Security Council in its resolution 1929 (2010), which I have submitted today to the Board of Governors of the International Atomic Energy Agency (see enclosure).

I should be grateful if you would bring this letter and the enclosed report to the attention of all members of the Security Council.

(*Signed*) Yukiya **Amano**

Enclosure*

Implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolutions in the Islamic Republic of Iran

Report by the Director General

A. Introduction

1. This report of the Director General to the Board of Governors and, in parallel, to the Security Council, is on the implementation of the NPT Safeguards Agreement,[1] and relevant provisions of Security Council resolutions in the Islamic Republic of Iran (Iran), which were adopted under Chapter VII of the United Nations Charter, and are mandatory, in accordance with the terms of those resolutions.[2]

2. By virtue of its Relationship Agreement with the United Nations,[3] the Agency is required to cooperate with the Security Council by furnishing to it at its request such information and assistance as may be required by the Security Council in the exercise of its responsibility for the maintenance or restoration of international peace and security. Furthermore, all Members of the United Nations, including Iran and other Members of the Agency, "agree to accept and carry out the decisions of the Security Council",[4] and in this respect, to take actions which are consistent with their obligations under the United Nations Charter.

3. The Security Council has affirmed that the steps required by the Board of Governors in its resolutions[5] are binding on Iran.[6]

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* Circulated to the Board of Governors of the International Atomic Energy Agency under the symbol GOV/2011/7.

[1] The Agreement between Iran and the Agency for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons (INFCIRC/214), which entered into force on 15 May 1974.

[2] The United Nations Security Council has adopted the following resolutions on Iran: 1696 (2006); 1737 (2006); 1747 (2007); 1803 (2008); 1835 (2008); and 1929 (2010).

[3] The Agreement Governing the Relationship between the United Nations and the IAEA entered into force on 14 November 1957, following approval by the General Conference, upon recommendation of the Board of Governors, and approval by the General Assembly of the United Nations. It is reproduced in INFCIRC/11 (30 October 1959), Part I.A.

[4] The Charter of the United Nations, Article 25.

[5] The Board of Governors has adopted ten resolutions in connection with the implementation of safeguards in Iran: GOV/2003/69 (12 September 2003); GOV/2003/81 (26 November 2003); GOV/2004/21 (13 March 2004); GOV/2004/49 (18 June 2004); GOV/2004/79 (18 September 2004); GOV/2004/90 (29 November 2004); GOV/2005/64 (11 August 2005); GOV/2005/77 (24 September 2005); GOV/2006/14 (4 February 2006); and GOV/2009/82 (27 November 2009).

[6] In resolution 1929 (2010), the Security Council affirmed, inter alia, that Iran shall, without further delay, take the steps required by the Board in GOV/2006/14 and GOV/2009/82; reaffirmed Iran's obligation to cooperate fully with the IAEA on all outstanding issues, particularly those which give rise to concerns about the possible military dimensions of the Iranian nuclear programme; decided that Iran shall, without delay, comply fully and without qualification with its Safeguards Agreement, including through the application of modified Code 3.1 of the Subsidiary Arrangements; and called upon Iran to act strictly in accordance with the provisions of its Additional Protocol and to ratify it promptly (operative paras. 1-6).

4. This report focuses on those areas where Iran has not fully implemented its binding obligations, as the full implementation of these obligations is needed to establish international confidence in the exclusively peaceful nature of Iran's nuclear programme. It addresses developments since the last report, as well as issues of longer standing, and contains an Attachment that provides an overview of the current implementation of Iran's Safeguards Agreement and relevant provisions of Security Council resolutions in Iran.

B. Facilities Declared under Iran's Safeguards Agreement

5. Iran has declared to the Agency under its Safeguards Agreement, 16 nuclear facilities and nine locations outside facilities where nuclear material is customarily used (LOFs).[7] The Agency continues to verify the non-diversion of declared nuclear material at these facilities and LOFs. Notwithstanding, certain of the activities being undertaken by Iran at some of the facilities are contrary to relevant resolutions of the Board of Governors and the Security Council, as indicated below.

C. Enrichment Related Activities

6. Contrary to the relevant resolutions of the Board of Governors and the Security Council, Iran has not suspended its enrichment related activities in the following declared facilities, which are under Agency safeguards.

C.1. Natanz: Fuel Enrichment Plant and Pilot Fuel Enrichment Plant

7. **Fuel Enrichment Plant (FEP)**: There are two cascade halls at FEP: Production Hall A and Production Hall B. According to the design information submitted by Iran, eight units are planned for Production Hall A, with 18 cascades in each unit. No detailed design information has yet been provided for Production Hall B.

8. On 20 February 2011, 53 cascades were installed in three of the eight units in Production Hall A, 31 of which were being fed with UF_6.[8] Initially, each installed cascade comprised 164 centrifuges. Iran has now modified 12 of the cascades to contain 174 centrifuges each. To date, all the centrifuges installed are IR-1 machines. As of 20 February 2011, installation work in the remaining five units was ongoing, but no centrifuges had been installed. There had been no installation work in Production Hall B.

9. As reported previously, the Agency conducted a physical inventory verification (PIV) at FEP and verified that, as of 17 October 2010, 34,737 kg of natural UF_6 had been fed into the cascades since the start of operations in February 2007, and a total of 3,135 kg of low enriched UF_6 had been produced. While the Agency has verified the UF_6 throughput of the facility as declared by Iran, the evaluation of the nuclear material balance remains ongoing.

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[7] All of the LOFs are situated within hospitals.

[8] On 20 February 2011, the 53 installed cascades contained approximately 8,000 centrifuges. The 31 cascades being fed with UF_6 on that date contained a total of 5184 centrifuges, some of which were possibly not being fed with UF_6.

10. Iran has estimated that, between 18 October 2010 and 5 February 2011, it produced an additional 471 kg of low enriched UF_6, which would result in a total production of 3,606 kg of low enriched UF_6 since February 2007. The nuclear material at FEP (including the feed, product and tails), as well as all installed cascades and the feed and withdrawal stations, are subject to Agency containment and surveillance.[9]

11. Based on the results of the analysis of environmental samples taken at FEP since February 2007[10] and other verification activities, the Agency has concluded that the facility has operated as declared by Iran in the Design Information Questionnaire (DIQ).

12. **Pilot Fuel Enrichment Plant (PFEP)**: PFEP is a research and development (R&D) facility and a pilot, low enriched uranium (LEU) production facility which was first brought into operation in October 2003. It has a cascade hall that can accommodate six cascades, and is divided between an area designated for the production of LEU enriched up to 20 per cent U-235 and an area designated for R&D.

13. In the production area, Iran first began feeding low enriched UF_6 into Cascade 1 on 9 February 2010, for the stated purpose of producing UF_6 enriched up to 20 per cent U-235 for use in the manufacture of fuel for the Tehran Research Reactor (TRR).[11,12] Since 13 July 2010, Iran has been feeding low enriched UF_6 into two interconnected cascades (Cascades 1 and 6), each of which comprises 164 centrifuges.

14. As reported previously, the Agency conducted a PIV at PFEP and verified that, as of 18 September 2010, 352 kg of low enriched UF_6 had been fed into the cascades in the production area since 9 February 2010, and that a total of 25.1 kg of UF_6 enriched up to 20 per cent U-235 had been produced. The enrichment level of the UF_6 product, as measured by the Agency, was 19.7 per cent. The Agency has completed its evaluation of the results of the PIV, and can confirm the inventory of total uranium as declared by Iran. The Agency is discussing with Iran further improvements to the operator's measurement system, especially in the determination of the level of U-235 enrichment.

15. Iran has estimated that, between 19 September 2010 and 11 February 2011, a total of 135.2 kg of UF_6 enriched at FEP was fed into the two interconnected cascades and that approximately 18.5 kg of UF_6 enriched up to 20 per cent U-235 was produced. This would result in a total of approximately 43.6 kg of UF_6 enriched up to 20 per cent U-235 having been produced since the process began in February 2010.

16. In the R&D area, between 20 November 2010 and 11 February 2011, a total of approximately 169 kg of natural UF_6 was fed into centrifuges, but no LEU was

[9] In line with normal safeguards practice, small amounts of nuclear material at the facility (e.g. some waste and samples) are not subject to containment and surveillance.

[10] Results are available to the Agency for samples taken up to 20 July 2010.

[11] GOV/2010/28, para. 9.

[12] TRR is a 5 MW reactor which operates with 20 per cent U-235 enriched fuel and is used for the irradiation of different types of targets and for research and training purposes.

withdrawn as the product and the tails of this R&D activity are recombined at the end of the process.[13]

17. In an updated DIQ for PFEP submitted to the Agency on 19 January 2011, Iran indicated that it would install two new 164-centrifuge cascades (Cascades 4 and 5) in the R&D area. These two cascades, one of which will comprise IR-4 centrifuges and the other IR-2m centrifuges, will be fed with natural UF_6.

18. Based on the results of the analysis of the environmental samples taken at PFEP[14] and other verification activities, the Agency has concluded that the facility has operated as declared by Iran in the DIQ.

C.2. Fordow Fuel Enrichment Plant

19. In September 2009, Iran informed the Agency that it was constructing the Fordow Fuel Enrichment Plant (FFEP), located near the city of Qom. In its DIQ of 10 October 2009, Iran stated that the purpose of the facility was the production of UF_6 enriched up to 5.0 per cent U-235, and that the facility was being built to contain 16 cascades, with a total of approximately 3,000 centrifuges.[15] In September 2010, Iran provided the Agency with a revised DIQ in which it stated that the purpose of FFEP was now to include R&D as well as the production of UF_6 enriched up to 5.0 per cent U-235.[16]

20. The Agency has asked Iran on a number of occasions, most recently in a letter dated 11 February 2011, to provide supporting information regarding the chronology of the design and construction of FFEP, as well as its original purpose, particularly in light of extensive information from a number of sources alleging that design work on the facility had started in 2006. To date, Iran has not done so. The information requested is essential for the Agency to confirm that the declarations of Iran are correct and complete.[17]

21. The Agency has verified that the construction of FFEP is ongoing. As of 19 February 2011, no centrifuges had been introduced into the facility. The results of the analysis of the environmental samples taken at FFEP up to February 2010 did not indicate the presence of enriched uranium.[18] On 21 February 2011, Iran informed the Agency that it planned to begin feeding nuclear material into cascades "by this summer".

C.3. Other Enrichment Related Activities

22. The Agency is still awaiting a substantive response from Iran to Agency requests for further information in relation to announcements made by Iran concerning the construction of ten new uranium enrichment facilities, the sites for

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[13] On 11 February 2011, the centrifuges being tested in the R&D area were IR-1, IR-2m and IR-4 machines.

[14] Results are available to the Agency for samples taken up to 12 September 2010.

[15] GOV/2009/74, para. 9.

[16] GOV/2010/62, para. 16.

[17] As previously reported, in Iran's initial declaration regarding the purpose of FFEP, contained in a letter dated 2 December 2009, Iran stated that, "The location [near Qom] originally was considered as a general area for passive defence contingency shelters for various utilizations. Then this location was selected for the construction of [the] Fuel Enrichment Plant in the second half of 2007" (GOV/2010/10, paras. 14-16).

[18] The results did show a small number of particles of depleted uranium (GOV/2010/10, para. 17).

five of which, according to Iran, have been decided, and the construction of one of which will begin by the end of the current Iranian year (20 March 2011) or the start of the next year.[19,20]

23. Iran has not provided further information, as requested by the Agency, in connection with its announcement on 7 February 2010 that it possessed laser enrichment technology,[21] and its announcement on 9 April 2010 regarding the development of third generation centrifuges.[22]

24. Since early 2008, Iran has not responded to Agency requests for access to additional locations related, inter alia, to the manufacturing of centrifuges, and to R&D on uranium enrichment.[23] As a result, the Agency's knowledge about Iran's enrichment activities continues to diminish.

D. Reprocessing Activities

25. Pursuant to the relevant resolutions of the Board of Governors and the Security Council, Iran is obliged to suspend its reprocessing activities, including R&D.[24] In a letter to the Agency dated 15 February 2008, Iran stated that it "does not have reprocessing activities". In that context, the Agency has continued to monitor the use of hot cells at TRR and the Molybdenum, Iodine and Xenon Radioisotope Production (MIX) Facility.[25] The Agency carried out an inspection and design information verification (DIV) at TRR on 5 February 2011 and a DIV at the MIX Facility on 6 February 2011. In light of the above, the Agency can confirm that there are no ongoing reprocessing related activities in Iran only with respect to the TRR and the MIX Facility, and the other facilities to which the Agency has access.

E. Heavy Water Related Projects

26. Contrary to the relevant resolutions of the Board of Governors and the Security Council, Iran has not suspended work on all heavy water related projects, including the construction of the heavy water moderated research reactor, the IR-40 Reactor, which is under Agency safeguards.[26]

27. As indicated in the Director General's previous reports, in light of the request by the Security Council to report to it on whether Iran has established full and sustained suspension of, inter alia, all heavy water related projects,[27] the Agency

[19] "Iran Specifies Location for 10 New Enrichment Sites", Fars News Agency, 16 August 2010.
[20] GOV/2010/46, para. 33.
[21] Cited on the website of the Presidency of the Islamic Republic of Iran, 7 February 2010, at http://www.president.ir/en/?ArtID=20255.
[22] GOV/2010/28, para. 18.
[23] GOV/2008/15, para. 13.
[24] S/RES/1696 (2006), para. 2; S/RES/1737 (2006), para. 2; S/RES/1747 (2007), para. 1; S/RES/1803 (2008), para. 1; S/RES/1835 (2008), para. 4; S/RES/1929 (2010), para. 2.
[25] The MIX Facility is a hot cell complex for the separation of radiopharmaceutical isotopes from targets, including uranium, irradiated at TRR. The MIX Facility is not currently processing any uranium targets.
[26] S/RES/1737 (2006), para. 2; S/RES/1747 (2007), para. 1; S/RES/1803 (2008), para. 1; S/RES/1835 (2008), para. 4; S/RES/1929 (2010), para. 2.
[27] S/RES/1737 (2006), para. 23; S/RES/1747 (2007), para. 12; S/RES/1803 (2008), para. 18; S/RES/1929 (2010), para. 36.

has requested that Iran make the necessary arrangements to provide the Agency, at the earliest possible date, with access to: the Heavy Water Production Plant (HWPP);[28] the heavy water stored at the Uranium Conversion Facility (UCF) for the taking of samples;[29] and any other location in Iran where projects related to heavy water are being carried out. Iran has objected to the Agency's requests on the basis that they go beyond the Safeguards Agreement and because Iran has already stated that it has not suspended its heavy water related projects.[30] In paragraph 8 of Security Council resolution 1737 (2006), the Council decided that "Iran shall provide such access and cooperation as the IAEA requests to be able to verify the suspension outlined in paragraph 2 [of that resolution] ... ". To date, Iran has not provided the requested access.

28. While the Agency can report that Iran has made statements to the effect that it has not suspended work on all its heavy water related projects, without full access to the heavy water at UCF and to HWPP, the Agency is unable to verify such statements and therefore to report fully on this matter.

29. On 13 February 2011, the Agency carried out a DIV at the IR-40 Reactor at Arak and observed that, although construction of the facility was ongoing, no significant changes had occurred since the Director General's last report.[31] According to Iran, the operation of the IR-40 Reactor is planned to commence by the end of 2013.

F. Uranium Conversion and Fuel Fabrication

30. As indicated above, Iran is obliged to suspend all enrichment related activities and heavy water related projects. Some of the activities carried out by Iran at UCF and the Fuel Manufacturing Plant (FMP) at Esfahan are in contravention of that obligation, although both facilities are under Agency safeguards.

31. In a letter dated 6 February 2011, Iran informed the Agency that in mid-February 2011 it intended to start conducting cold tests at UCF (not involving the use of nuclear material) for the production of natural UO_2 for IR-40 Reactor fuel.

32. On 8-9 February 2011, the Agency carried out an inspection and a DIV at UCF. At that time, the plant was still undergoing maintenance. As no UF_6 has been produced at UCF since 10 August 2009, the total amount of uranium produced at UCF since March 2004 remains 371 tonnes in the form of UF_6 (some of which has been transferred to FEP and PFEP), and remains subject to Agency containment and surveillance. During the DIV, the Agency observed that Iran had not yet begun the installation of equipment for the conversion of the UF_6 enriched up to 20 per cent U-235 into U_3O_8 for the fabrication of fuel for TRR.[32] Iran stated that the installation of this equipment will be completed by July 2011. During the DIV, the Agency also observed seven 200-litre drums, which Iran stated contained yellowcake produced at Bandar Abbas.

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[28] Based on satellite imagery, the HWPP appears to be in operation.
[29] GOV/2010/10, paras. 20 and 21.
[30] GOV/2010/62, para. 21.
[31] GOV/2010/62, para. 22.
[32] GOV/2010/46, para. 25.

33. On 12 February 2011, the Agency carried out an inspection and a DIV at FMP and confirmed that Iran had not yet started to install equipment for TRR fuel fabrication.[33] In a letter dated 31 January 2011, Iran provided an updated DIQ for FMP, including more details concerning the manufacture of fuel for TRR, which the Agency is currently reviewing.

G. Possible Military Dimensions

34. The Board of Governors has called on Iran on a number of occasions to engage with the Agency on the resolution of all outstanding issues concerning Iran's nuclear programme and, to this end, to cooperate fully with the Agency by providing such access and information that the Agency requests to resolve these issues. The Board has also requested the Director General to continue his efforts to, inter alia, resolve the outstanding issues which give rise to concerns, in order to exclude the existence of possible military dimensions to Iran's nuclear programme.[34] In resolution 1929 (2010), the Security Council reaffirmed Iran's obligations to take the steps required by the Board of Governors in its resolutions GOV/2006/14 and GOV/2009/82, and to cooperate fully with the Agency on all outstanding issues, particularly those which give rise to concerns about the possible military dimensions, including by providing access without delay to all sites, equipment, persons and documents requested by the Agency.[35]

35. Previous reports by the Director General have detailed the outstanding issues related to possible military dimensions to Iran's nuclear programme and the actions required of Iran necessary to resolve these.[36] Since August 2008, Iran has declined to discuss these outstanding issues with the Agency, or to provide any further information, or access to locations or persons necessary to address the Agency's concerns.

36. As Iran has been informed previously, although most of the actions identified in the 2007 work plan agreed between Iran and the Agency (INFCIRC/711) have been completed, there remain issues that still need to be addressed. According to the work plan, Iran was required to provide the Agency with its assessment of the documentation related to the alleged studies to which the Agency had provided Iran access. In May 2008, Iran provided a 117-page assessment in which it asserted that the documentation was forged and fabricated. However, as the Agency considers this assessment to be focused on form rather than substance, it has on several subsequent occasions requested Iran to provide a substantive response. Iran has not yet done so. Moreover, based on the Agency's analysis of additional information which has come to its attention since August 2008, including new information recently received, there are further concerns which the Agency also needs to clarify with Iran. For these reasons the Agency is unable to consider the issue of the alleged studies as referred to in the work plan as being closed.

37. Based on the Agency's continued study of information which the Agency has acquired, not only from many Member States but also directly through its own

[33] GOV/2010/46, para. 26.

[34] Most recently in GOV/2009/82 (27 November 2009).

[35] S/RES/1929, paras. 2 and 3.

[36] GOV/2010/10, paras. 40-45; GOV/2009/55, paras. 18-25; GOV/2008/38, paras. 14-21; GOV/2008/15, paras. 14-25 and Annex; GOV/2008/4, paras. 35-42.

efforts, the Agency remains concerned about the possible existence in Iran of past or current undisclosed nuclear related activities involving military related organizations, including activities related to the development of a nuclear payload for a missile. As previously indicated by the Director General, there are indications that certain of these activities may have continued beyond 2004.[37]

38. The Agency has yet to receive a reply to its letter dated 29 October 2010, in which it again reiterated its concerns to Iran and provided a list of those matters which remain to be addressed. These matters include a number of issues that have come to the Agency's attention since August 2008.[38]

39. The Agency has continued to request that Iran engage with the Agency on these issues, and that the Agency be permitted to visit all relevant sites, have access to all relevant equipment and documentation, and be allowed to interview all relevant persons, without further delay. The passage of time and the possible deterioration in the availability of some relevant information increase the urgency of this matter. Iran's substantive and proactive engagement is essential to enable the Agency to make progress in its verification of the correctness and completeness of Iran's declarations.

H. Design Information

40. The modified Code 3.1 of the Subsidiary Arrangements General Part to Iran's Safeguards Agreement provides for the submission to the Agency of design information for new facilities as soon as the decision to construct, or to authorize construction of, a new facility has been taken, whichever is the earlier. The modified Code 3.1 also provides for the submission of fuller design information as the design is developed early in the project definition, preliminary design, construction, and commissioning phases. Iran remains the only State with significant nuclear activities in which the Agency is implementing a comprehensive safeguards agreement but which is not implementing the provisions of the modified Code 3.1.[39] The existence of FFEP was only reported to the Agency after the plant had reached an advanced stage of its construction. Furthermore, the Agency is still awaiting receipt from Iran of, inter alia, updated design information for the IR-40 Reactor, and further information pursuant to statements it has made concerning the planned construction of new uranium enrichment facilities and the design of a reactor similar to TRR.[40]

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[37] GOV/2010/62, para. 33; GOV/2010/46, para. 39.

[38] GOV/2010/62, para. 35.

[39] In accordance with Article 39 of Iran's Safeguards Agreement, agreed Subsidiary Arrangements cannot be changed unilaterally; nor is there a mechanism in the Safeguards Agreement for the suspension of provisions agreed to in the Subsidiary Arrangements. Therefore, as previously explained in the Director General's reports (see e.g. GOV/2007/22, 23 May 2007), the modified Code 3.1, as agreed to by Iran in 2003, remains in force for Iran. Iran is further bound by operative paragraph 5 of Security Council resolution 1929 (2010) to "comply fully and without qualification with its IAEA Safeguards Agreement, including through the application of modified Code 3.1".

[40] GOV/2010/62, para. 30.

I. Additional Protocol

41. Iran is not implementing its Additional Protocol, contrary to the relevant resolutions of the Board of Governors and the Security Council.[41] Unless Iran implements its Additional Protocol, the Agency will not be in a position to provide credible assurance about the absence of undeclared nuclear material and activities in Iran.

J. Other Matters

42. On 15-16 February 2011, the Agency conducted an inspection at the Bushehr Nuclear Power Plant (BNPP) and has verified the nuclear material present in the facility. On 23 February 2011, Iran informed the Agency that it would have to unload fuel assemblies from the core, and the Agency and Iran have agreed on the necessary safeguards measures.

43. Consistent with Iran's declarations of 22 September 2009,[42] the Agency, through satellite imagery, has not observed any indications of construction activities having been initiated at the site of the planned 360 MW Nuclear Power Plant at Darkhovin.

44. Based on satellite imagery, the Agency assesses that activities involving the mining and concentration of uranium are continuing in the area of the Bandar Abbas Uranium Production Plant, and that construction activities are continuing at the Ardakan Yellowcake Production Plant and at the Saghand Uranium Mine.

45. Iran has not agreed to reconsider its decision of 16 January 2007 to request the Agency to withdraw the designation of 38 Agency inspectors and its requests (in 2006, 2007 and 2010) to withdraw the designations of a total of four other inspectors with experience in conducting inspections in Iran. Nevertheless, in a letter dated 12 January 2011, Iran accepted the designation of three additional inspectors, who will now need to familiarize themselves with Iran's nuclear programme and gain experience in implementing safeguards in Iran.

K. Summary

46. While the Agency continues to conduct verification activities under Iran's Safeguards Agreement, Iran is not implementing a number of its obligations, including: implementation of the provisions of its Additional Protocol; implementation of the modified Code 3.1 of the Subsidiary Arrangements General Part to its Safeguards Agreement; suspension of enrichment related activities; suspension of heavy water related activities; and clarification of the remaining outstanding issues which give rise to concerns about possible military dimensions to its nuclear programme.

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[41] Iran's Additional Protocol was approved by the Board on 21 November 2003 and signed by Iran on 18 December 2003, although it has not been brought into force. Iran provisionally implemented its Additional Protocol between December 2003 and February 2006.

[42] GOV/2009/74, para. 26.

47. While the Agency continues to verify the non-diversion of declared nuclear material at the nuclear facilities and LOFs declared by Iran under its Safeguards Agreement, Iran is not providing the necessary cooperation to enable the Agency to provide credible assurance about the absence of undeclared nuclear material and activities in Iran, and therefore to conclude that all nuclear material in Iran is in peaceful activities.[43]

48. The Director General requests Iran to take steps towards the full implementation of its Safeguards Agreement and its other obligations, to establish international confidence in the exclusively peaceful nature of Iran's nuclear programme.

49. The Director General will continue to report as appropriate.

[43] The Board has confirmed on numerous occasions, since as early as 1992, that paragraph 2 of INFCIRC/153 (Corr.), which corresponds to Article 2 of Iran's Safeguards Agreement, authorizes and requires the Agency to seek to verify both the non-diversion of nuclear material from declared activities (i.e. correctness) and the absence of undeclared nuclear activities in the State (i.e. completeness) (see, for example, GOV/OR.864, para. 49). Paragraph 47 reflects the past and current implementation by Iran of its Safeguards Agreement and other obligations.

Attachment

Overview of the implementation of the NPT Safeguards Agreement and relevant provisions of Security Council resolutions in Iran*

1. **Facilities which Iran has declared under its Safeguards Agreement and where the Agency continues to verify the non-diversion of declared nuclear material**

Tehran:

- Tehran Research Reactor (TRR)
- Molybdenum, Iodine and Xenon Radioisotope Production Facility (MIX Facility)
- Jabr Ibn Hayan Multipurpose Laboratories (JHL)

Esfahan:

- Miniature Neutron Source Reactor (MNSR)
- Light Water Sub-Critical Reactor (LWSCR)
- Heavy Water Zero Power Reactor (HWZPR)
- Fuel Fabrication Laboratory (FFL)
- Uranium Conversion Facility (UCF)
- Fuel Manufacturing Plant (FMP)

Natanz:

- Fuel Enrichment Plant (FEP)
- Pilot Fuel Enrichment Plant (PFEP)

Fordow:

- Fordow Fuel Enrichment Plant (FFEP)

Arak:

- Iran Nuclear Research Reactor (IR-40 Reactor)

Karaj:

- Karaj Waste Storage

Bushehr:

- Bushehr Nuclear Power Plant (BNPP)

Darkhovin:

- 360 MW Nuclear Power Plant

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* For details, see this report and previous reports by the Director General.

Locations outside facilities (LOFs):

- Nine LOFs where nuclear material is customarily used (all situated within hospitals)

2. **Iran is not conducting reprocessing activities in any of the facilities declared under its Safeguards Agreement, thereby meeting one of its obligations pursuant to the relevant provisions of the UN Security Council resolutions**

3. **Areas where Iran is not meeting its obligations, as indicated in this report and previous reports of the Director General**

Iran has not suspended its enrichment related activities as follows:

- Production of UF_6 at UCF as feed material for enrichment
- Manufacturing centrifuge components, and assembling and testing centrifuges
- Conducting enrichment related research and development
- Conducting operations, installation work and the production of LEU up to 3.5 per cent U-235 at the Fuel Enrichment Plant (FEP)
- Conducting operations, installation work and the production of LEU up to 20 per cent U-235 at the Pilot Fuel Enrichment Plant (PFEP)
- Conducting construction work at the Fordow Fuel Enrichment Plant (FFEP)

Iran is not providing supporting information regarding the chronology of the design and construction, as well as the original purpose, of FFEP

Iran has not suspended work on heavy water related projects as follows:

- Continuing the construction of the IR-40 Reactor
- Production of heavy water at the Heavy Water Production Plant (HWPP)
- Preparing for conversion activities for the production of natural UO_2 for IR-40 Reactor fuel
- Manufactured a fuel assembly, fuel rods and fuel pellets for the IR-40 Reactor

Iran has not permitted the Agency to verify suspension of its heavy water related projects by:

- Not permitting the Agency to take samples of the heavy water stored at UCF
- Not providing access to HWPP

Iran is not cooperating with the Agency regarding the outstanding issues which give rise to concern about possible military dimensions to Iran's nuclear programme:

- Iran is not providing access to relevant locations, equipment, persons or documentation related to possible military dimensions to Iran's nuclear programme; nor has Iran responded to the many questions the Agency has raised with Iran regarding procurement of nuclear related items

- Iran is not engaging with the Agency in substance on issues concerning the allegation that Iran is developing a nuclear payload for its missile programme. These issues refer to activities in Iran dealing with, inter alia:
  - neutron generation and associated diagnostics
  - uranium conversion and metallurgy
  - high explosives manufacturing and testing
  - exploding bridgewire detonator studies, particularly involving applications necessitating high simultaneity
  - multipoint explosive initiation and hemispherical detonation studies involving highly instrumented experiments
  - high voltage firing equipment and instrumentation for explosives testing over long distances and possibly underground
  - missile re-entry vehicle redesign activities for a new payload assessed as being nuclear in nature

Iran is not providing the requisite design information in accordance with the modified Code 3.1 in connection with:

- The IR-40 Reactor
- The announced new enrichment facilities
- The announced new reactor similar to TRR

Iran is not implementing its Additional Protocol

United Nations S/2011/95

Security Council

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26 February 2011

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Bosnia and Herzegovina, Colombia, France, Gabon, Germany, Lebanon, Nigeria, Portugal, South Africa, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Expressing grave concern at the situation in the Libyan Arab Jamahiriya and condemning the violence and use of force against civilians,

Deploring the gross and systematic violation of human rights, including the repression of peaceful demonstrators, expressing deep concern at the deaths of civilians, and rejecting unequivocally the incitement to hostility and violence against the civilian population made from the highest level of the Libyan government,

Welcoming the condemnation by the Arab League, the African Union, and the Secretary General of the Organization of the Islamic Conference of the serious violations of human rights and international humanitarian law that are being committed in the Libyan Arab Jamahiriya,

Taking note of the letter to the President of the Security Council from the Permanent Representative of the Libyan Arab Jamahiriya dated 26 February 2011,

Welcoming the Human Rights Council resolution A/HRC/S-15/2 of 25 February 2011, including the decision to urgently dispatch an independent international commission of inquiry to investigate all alleged violations of international human rights law in the Libyan Arab Jamahiriya, to establish the facts and circumstances of such violations and of the crimes perpetrated, and where possible identify those responsible,

Considering that the widespread and systematic attacks currently taking place in the Libyan Arab Jamahiriya against the civilian population may amount to crimes against humanity,

Expressing concern at the plight of refugees forced to flee the violence in the Libyan Arab Jamahiriya,

Expressing concern also at the reports of shortages of medical supplies to treat the wounded,

Recalling the Libyan authorities' responsibility to protect its population,

Underlining the need to respect the freedoms of peaceful assembly and of expression, including freedom of the media,

Please recycle

Stressing the need to hold to account those responsible for attacks, including by forces under their control, on civilians,

Recalling article 16 of the Rome Statute under which no investigation or prosecution may be commenced or proceeded with by the International Criminal Court for a period of 12 months after a Security Council request to that effect,

Expressing concern for the safety of foreign nationals and their rights in the Libyan Arab Jamahiriya,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of the Libyan Arab Jamahiriya,

Mindful of its primary responsibility for the maintenance of international peace and security under the Charter of the United Nations,

Acting under Chapter VII of the Charter of the United Nations, and taking measures under its Article 41,

1. *Demands* an immediate end to the violence and calls for steps to fulfil the legitimate demands of the population;

2. *Urges* the Libyan authorities to:

(a) Act with the utmost restraint, respect human rights and international humanitarian law, and allow immediate access for international human rights monitors;

(b) Ensure the safety of all foreign nationals and their assets and facilitate the departure of those wishing to leave the country;

(c) Ensure the safe passage of humanitarian and medical supplies, and humanitarian agencies and workers, into the country; and

(d) Immediately lift restrictions on all forms of media;

3. *Requests* all Member States, to the extent possible, to cooperate in the evacuation of those foreign nationals wishing to leave the country;

ICC referral

4. *Decides* to refer the situation in the Libyan Arab Jamahiriya since 15 February 2011 to the Prosecutor of the International Criminal Court;

5. *Deciaes* that the Libyan authorities shall cooperate fully with and provide any necessary assistance to the Court and the Prosecutor pursuant to this resolution and, while recognizing that States not party to the Rome Statute have no obligation under the Statute, urges all States and concerned regional and other international organizations to cooperate fully with the Court and the Prosecutor;

6. *Decides* that nationals, current or former officials or personnel from a State outside the Libyan Arab Jamahiriya which is not a party to the Rome Statute of the International Criminal Court shall be subject to the exclusive jurisdiction of that State for all alleged acts or omissions arising out of or related to operations in the Libyan Arab Jamahiriya established or authorized by the Council, unless such exclusive jurisdiction has been expressly waived by the State;

7. *Invites* the Prosecutor to address the Security Council within two months of the adoption of this resolution and every six months thereafter on actions taken pursuant to this resolution;

8. *Recognizes* that none of the expenses incurred in connection with the referral, including expenses related to investigations or prosecutions in connection with that referral, shall be borne by the United Nations and that such costs shall be borne by the parties to the Rome Statute and those States that wish to contribute voluntarily;

Arms embargo

9. *Decides* that all Member States shall immediately take the necessary measures to prevent the direct or indirect supply, sale or transfer to the Libyan Arab Jamahiriya, from or through their territories or by their nationals, or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, and technical assistance, training, financial or other assistance, related to military activities or the provision, maintenance or use of any arms and related materiel, including the provision of armed mercenary personnel whether or not originating in their territories, and decides further that this measure shall not apply to:

(a) Supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance or training, as approved in advance by the Committee established pursuant to paragraph 24 below;

(b) Protective clothing, including flak jackets and military helmets, temporarily exported to the Libyan Arab Jamahiriya by United Nations personnel, representatives of the media and humanitarian and development works and associated personnel, for their personal use only; or

(c) Other sales or supply of arms and related materiel, or provision of assistance or personnel, as approved in advance by the Committee;

10. *Decides* that the Libyan Arab Jamahiriya shall cease the export of all arms and related materiel and that all Member States shall prohibit the procurement of such items from the Libyan Arab Jamahiriya by their nationals, or using their flagged vessels or aircraft, and whether or not originating in the territory of the Libyan Arab Jamahiriya;

11. *Calls upon* all States, in particular States neighbouring the Libyan Arab Jamahiriya, to inspect, in accordance with their national authorities and legislation and consistent with international law, in particular the law of the sea and relevant international civil aviation agreements, all cargo to and from the Libyan Arab Jamahiriya, in their territory, including seaports and airports, if the State concerned has information that provides reasonable grounds to believe the cargo contains items the supply, sale, transfer, or export of which is prohibited by paragraphs 9 or 10 of this resolution for the purpose of ensuring strict implementation of those provisions;

12. *Decides* to authorize all Member States to, and that all Member States shall, upon discovery of items prohibited by paragraph 9 or 10 of this resolution, seize and dispose (such as through destruction, rendering inoperable, storage or transferring to a State other than the originating or destination States for disposal)

items the supply, sale, transfer or export of which is prohibited by paragraph 9 or 10 of this resolution and decides further that all Member States shall cooperate in such efforts;

13. *Requires* any Member State when it undertakes an inspection pursuant to paragraph 11 above, to submit promptly an initial written report to the Committee containing, in particular, explanation of the grounds for the inspections, the results of such inspections, and whether or not cooperation was provided, and, if prohibited items for transfer are found, further requires such Member States to submit to the Committee, at a later stage, a subsequent written report containing relevant details on the inspection, seizure, and disposal, and relevant details of the transfer, including a description of the items, their origin and intended destination, if this information is not in the initial report;

14. *Encourages* Member States to take steps to strongly discourage their nationals from travelling to the Libyan Arab Jamahiriya to participate in activities on behalf of the Libyan authorities that could reasonably contribute to the violation of human rights;

Travel ban

15. *Decides* that all Member States shall take the necessary measures to prevent the entry into or transit through their territories of individuals listed in Annex I of this resolution or designated by the Committee established pursuant to paragraph 24 below, provided that nothing in this paragraph shall oblige a State to refuse its own nationals entry into its territory;

16. *Decides* that the measures imposed by paragraph 15 above shall not apply:

(a) Where the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligation;

(b) Where entry or transit is necessary for the fulfilment of a judicial process;

(c) Where the Committee determines on a case-by-case basis that an exemption would further the objectives of peace and national reconciliation in the Libyan Arab Jamahiriya and stability in the region; or

(d) Where a State determines on a case-by-case basis that such entry or transit is required to advance peace and stability in the Libyan Arab Jamahiriya and the States subsequently notifies the Committee within forty-eight hours after making such a determination;

Asset freeze

17. *Decides* that all Member States shall freeze without delay all funds, other financial assets and economic resources which are on their territories, which are owned or controlled, directly or indirectly, by the individuals or entities listed in Annex II of this resolution or designated by the Committee established pursuant to paragraph 24 below, or by individuals or entities acting on their behalf or at their direction, or by entities owned or controlled by them, and decides further that all Member States shall ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any individuals or

entities within their territories, to or for the benefit of the individuals or entities listed in Annex II of this resolution or individuals designated by the Committee;

18. *Expresses* its intention to ensure that assets frozen pursuant to paragraph 17 shall at a later stage be made available to and for the benefit of the people of the Libyan Arab Jamahiriya;

19. *Decides* that the measures imposed by paragraph 17 above do not apply to funds, other financial assets or economic resources that have been determined by relevant Member States:

(a) To be necessary for basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services in accordance with national laws, or fees or service charges, in accordance with national laws, for routine holding or maintenance of frozen funds, other financial assets and economic resources, after notification by the relevant State to the Committee of the intention to authorize, where appropriate, access to such funds, other financial assets or economic resources and in the absence of a negative decision by the Committee within five working days of such notification;

(b) To be necessary for extraordinary expenses, provided that such determination has been notified by the relevant State or Member States to the Committee and has been approved by the Committee; or

(c) To be the subject of a judicial, administrative or arbitral lien or judgment, in which case the funds, other financial assets and economic resources may be used to satisfy that lien or judgment provided that the lien or judgment was entered into prior to the date of the present resolution, is not for the benefit of a person or entity designated pursuant to paragraph 17 above, and has been notified by the relevant State or Member States to the Committee;

20. *Decides* that Member States may permit the addition to the accounts frozen pursuant to the provisions of paragraph 17 above of interests or other earnings due on those accounts or payments due under contracts, agreements or obligations that arose prior to the date on which those accounts became subject to the provisions of this resolution, provided that any such interest, other earnings and payments continue to be subject to these provisions and are frozen;

21. *Decides* that the measures in paragraph 17 above shall not prevent a designated person or entity from making payment due under a contract entered into prior to the listing of such a person or entity, provided that the relevant States have determined that the payment is not directly or indirectly received by a person or entity designated pursuant to paragraph 17 above, and after notification by the relevant States to the Committee of the intention to make or receive such payments or to authorize, where appropriate, the unfreezing of funds, other financial assets or economic resources for this purpose, 10 working days prior to such authorization;

Designation criteria

22. *Decides* that the measures contained in paragraphs 15 and 17 shall apply to the individuals and entities designated by the Committee, pursuant to paragraph 24 (b) and (c), respectively;

(a) Involved in or complicit in ordering, controlling, or otherwise directing, the commission of serious human rights abuses against persons in the Libyan Arab Jamahiriya, including by being involved in or complicit in planning, commanding, ordering or conducting attacks, in violation of international law, including aerial bombardments, on civilian populations and facilities; or

(b) Acting for or on behalf of or at the direction of individuals or entities identified in subparagraph (a).

23. *Strongly encourages* Member States to submit to the Committee names of individuals who meet the criteria set out in paragraph 22 above;

New Sanctions Committee

24. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council (herein "the Committee"), to undertake to following tasks:

(a) To monitor implementation of the measures imposed in paragraphs 9, 10, 15, and 17;

(b) To designate those individuals subject to the measures imposed by paragraphs 15 and to consider requests for exemptions in accordance with paragraph 16 above;

(c) To designate those individuals subject to the measures imposed by paragraph 17 above and to consider requests for exemptions in accordance with paragraphs 19 and 20 above;

(d) To establish such guidelines as may be necessary to facilitate the implementation of the measures imposed above;

(e) To report within thirty days to the Security Council on its work for the first report and thereafter to report as deemed necessary by the Committee;

(f) To encourage a dialogue between the Committee and interested Member States, in particular those in the region, including by inviting representatives of such States to meet with the Committee to discuss implementation of the measures;

(g) To seek from all States whatever information it may consider useful regarding the actions taken by them to implement effectively the measures imposed above;

(h) To examine and take appropriate action on information regarding alleged violations or non-compliance with the measures contained in this resolution;

25. *Calls upon* all Member States to report to the Committee within 120 days of the adoption of this resolution on the steps they have taken with a view to implementing effectively paragraphs 9, 10, 15 and 17 above;

Humanitarian assistance

26. *Calls upon* all Member States, working together and acting in cooperation with the Secretary General, to facilitate and support the return of humanitarian agencies and make available humanitarian and related assistance in the Libyan Arab Jamahiriya, and requests the States concerned to keep the Security Council regularly informed on the progress of actions undertaken pursuant to this

paragraph, and expresses its readiness to consider taking additional appropriate measures, as necessary, to achieve this;

Commitment to review

27. *Affirms* that it shall keep the Libyan authorities' actions under continuous review and that it shall be prepared to review the appropriateness of the measures contained in this resolution, including the strengthening, modification, suspension or lifting of the measures, as may be needed at any time in light of the Libyan authorities' compliance with relevant provisions of this resolution;

28. *Decides* to remain actively seized of the matter.

Annex I

Travel ban

1. Al-Baghdadi, Dr Abdulqader Mohammed

   Passport number: B010574. Date of birth: 01/07/1950.

   Head of the Liaison Office of the Revolutionary Committees. Revolutionary Committees involved in violence against demonstrators.

2. Dibri, Abdulqader Yusef

   Date of birth: 1946. Place of birth: Houn, Libya.

   Head of Muammar Qadhafi's personal security. Responsibility for regime security. History of directing violence against dissidents.

3. Dorda, Abu Zayd Umar

   Director, External Security Organisation. Regime loyalist. Head of external intelligence agency.

4. Jabir, Major General Abu Bakr Yunis

   Date of birth: 1952. Place of birth: Jalo, Libya.

   Defence Minister. Overall responsibility for actions of armed forces.

5. Matuq, Matuq Mohammed

   Date of birth: 1956. Place of birth: Khoms.

   Secretary for Utilities. Senior member of regime. Involvement with Revolutionary Committees. Past history of involvement in suppression of dissent and violence.

6. Qadhaf Al-dam, Sayyid Mohammed

   Date of birth: 1948. Place of birth: Sirte, Libya.

   Cousin of Muammar Qadhafi. In the 1980s, Sayyid was involved in the dissident assassination campaign and allegedly responsible for several deaths in Europe. He is also thought to have been involved in arms procurement.

7. Qadhafi, Aisha Muammar

   Date of birth: 1978. Place of birth: Tripoli, Libya.

   Daughter of Muammar Qadhafi. Closeness of association with regime.

8. Qadhafi, Hannibal Muammar

   Passport number: B/002210. Date of birth: 20/09/1975. Place of birth: Tripoli, Libya. Son of Muammar Qadhafi. Closeness of association with regime.

9. Qadhafi, Khamis Muammar

   Date of birth: 1978. Place of birth: Tripoli, Libya.

   Son of Muammar Qadhafi. Closeness of association with regime. Command of military units involved in repression of demonstrations.

10. Qadhafi, Mohammed Muammar

Date of birth: 1970. Place of birth: Tripoli, Libya.

Son of Muammar Qadhafi. Closeness of association with regime.

11. Qadhafi, Muammar Mohammed Abu Minyar

Date of birth: 1942. Place of birth: Sirte, Libya.

Leader of the Revolution, Supreme Commander of Armed Forces. Responsibility for ordering repression of demonstrations, human rights abuses.

12. Qadhafi, Mutassim

Date of birth: 1976. Place of birth: Tripoli, Libya.

National Security Adviser. Son of Muammar Qadhafi. Closeness of association with regime.

13. Qadhafi, Saadi

Passport number: 014797. Date of birth: 25/05/1973. Place of birth: Tripoli, Libya.

Commander Special Forces. Son of Muammar Qadhafi. Closeness of association with regime. Command of military units involved in repression of demonstrations.

14. Qadhafi, Saif al-Arab

Date of birth: 1982. Place of birth: Tripoli, Libya.

Son of Muammar Qadhafi. Closeness of association with regime.

15. Qadhafi, Saif al-Islam

Passport number: B014995. Date of birth: 25/06/1972. Place of birth: Tripoli, Libya.

Director, Qadhafi Foundation. Son of Muammar Qadhafi. Closeness of association with regime. Inflammatory public statements encouraging violence against demonstrators.

16. Al-Senussi, Colonel Abdullah

Date of birth: 1949. Place of birth: Sudan.

Director Military Intelligence. Military Intelligence involvement in suppression of demonstrations. Past history includes suspicion of involvement in Abu Selim prison massacre. Convicted in absentia for bombing of UTA flight. Brother -in-law of Muammar Qadhafi.

Annex II

Asset freeze

1. Qadhafi, Aisha Muammar

   Date of birth: 1978. Place of birth: Tripoli, Libya.

   Daughter of Muammar Qadhafi. Closeness of association with regime.

2. Qadhafi, Hannibal Muammar

   Passport number: B/002210. Date of birth: 20/09/1975. Place of birth: Tripoli, Libya. Son of Muammar Qadhafi. Closeness of association with regime.

3. Qadhafi, Khamis Muammar

   Date of birth: 1978. Place of birth: Tripoli, Libya.

   Son of Muammar Qadhafi. Closeness of association with regime. Command of military units involved in repression of demonstrations.

4. Qadhafi, Muammar Mohammed Abu Minyar

   Date of birth: 1942. Place of birth: Sirte, Libya.

   Leader of the Revolution, Supreme Commander of Armed Forces. Responsibility for ordering repression of demonstrations, human rights abuses.

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   Date of birth: 1976. Place of birth: Tripoli, Libya.

   National Security Adviser. Son of Muammar Qadhafi. Closeness of association with regime.

6. Qadhafi, Saif al-Islam

   Passport number: B014995. Date of birth: 25/06/1972. Place of birth: Tripoli, Libya.

   Director, Qadhafi Foundation. Son of Muammar Qadhafi. Closeness of association with regime. Inflammatory public statements encouraging violence against demonstrators.

United Nations S/2011/95*

Security Council

Distr.: General
26 February 2011

Original: English

Bosnia and Herzegovina, Colombia, France, Gabon, Germany, Lebanon, Nigeria, Portugal, South Africa, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Expressing grave concern at the situation in the Libyan Arab Jamahiriya and condemning the violence and use of force against civilians,

Deploring the gross and systematic violation of human rights, including the repression of peaceful demonstrators, expressing deep concern at the deaths of civilians, and rejecting unequivocally the incitement to hostility and violence against the civilian population made from the highest level of the Libyan government,

Welcoming the condemnation by the Arab League, the African Union, and the Secretary General of the Organization of the Islamic Conference of the serious violations of human rights and international humanitarian law that are being committed in the Libyan Arab Jamahiriya,

Taking note of the letter to the President of the Security Council from the Permanent Representative of the Libyan Arab Jamahiriya dated 26 February 2011,

Welcoming the Human Rights Council resolution A/HRC/S-15/1 of 25 February 2011, including the decision to urgently dispatch an independent international commission of inquiry to investigate all alleged violations of international human rights law in the Libyan Arab Jamahiriya, to establish the facts and circumstances of such violations and of the crimes perpetrated, and where possible identify those responsible,

Considering that the widespread and systematic attacks currently taking place in the Libyan Arab Jamahiriya against the civilian population may amount to crimes against humanity,

Expressing concern at the plight of refugees forced to flee the violence in the Libyan Arab Jamahiriya,

Expressing concern also at the reports of shortages of medical supplies to treat the wounded,

Recalling the Libyan authorities' responsibility to protect its population,

* Reissued for technical reasons on 9 March 2011.

Underlining the need to respect the freedoms of peaceful assembly and of expression, including freedom of the media,

Stressing the need to hold to account those responsible for attacks, including by forces under their control, on civilians,

Recalling article 16 of the Rome Statute under which no investigation or prosecution may be commenced or proceeded with by the International Criminal Court for a period of 12 months after a Security Council request to that effect,

Expressing concern for the safety of foreign nationals and their rights in the Libyan Arab Jamahiriya,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of the Libyan Arab Jamahiriya,

Mindful of its primary responsibility for the maintenance of international peace and security under the Charter of the United Nations,

Acting under Chapter VII of the Charter of the United Nations, and taking measures under its Article 41,

1. *Demands* an immediate end to the violence and calls for steps to fulfil the legitimate demands of the population;

2. *Urges* the Libyan authorities to:

(a) Act with the utmost restraint, respect human rights and international humanitarian law, and allow immediate access for international human rights monitors;

(b) Ensure the safety of all foreign nationals and their assets and facilitate the departure of those wishing to leave the country;

(c) Ensure the safe passage of humanitarian and medical supplies, and humanitarian agencies and workers, into the country; and

(d) Immediately lift restrictions on all forms of media;

3. *Requests* all Member States, to the extent possible, to cooperate in the evacuation of those foreign nationals wishing to leave the country;

ICC referral

4. *Decides* to refer the situation in the Libyan Arab Jamahiriya since 15 February 2011 to the Prosecutor of the International Criminal Court;

5. *Decides* that the Libyan authorities shall cooperate fully with and provide any necessary assistance to the Court and the Prosecutor pursuant to this resolution and, while recognizing that States not party to the Rome Statute have no obligation under the Statute, urges all States and concerned regional and other international organizations to cooperate fully with the Court and the Prosecutor;

6. *Decides* that nationals, current or former officials or personnel from a State outside the Libyan Arab Jamahiriya which is not a party to the Rome Statute of the International Criminal Court shall be subject to the exclusive jurisdiction of that State for all alleged acts or omissions arising out of or related to operations in the

Libyan Arab Jamahiriya established or authorized by the Council, unless such exclusive jurisdiction has been expressly waived by the State;

7. *Invites* the Prosecutor to address the Security Council within two months of the adoption of this resolution and every six months thereafter on actions taken pursuant to this resolution;

8. *Recognizes* that none of the expenses incurred in connection with the referral, including expenses related to investigations or prosecutions in connection with that referral, shall be borne by the United Nations and that such costs shall be borne by the parties to the Rome Statute and those States that wish to contribute voluntarily;

Arms embargo

9. *Decides* that all Member States shall immediately take the necessary measures to prevent the direct or indirect supply, sale or transfer to the Libyan Arab Jamahiriya, from or through their territories or by their nationals, or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, and technical assistance, training, financial or other assistance, related to military activities or the provision, maintenance or use of any arms and related materiel, including the provision of armed mercenary personnel whether or not originating in their territories, and decides further that this measure shall not apply to:

(a) Supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance or training, as approved in advance by the Committee established pursuant to paragraph 24 below;

(b) Protective clothing, including flak jackets and military helmets, temporarily exported to the Libyan Arab Jamahiriya by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, for their personal use only; or

(c) Other sales or supply of arms and related materiel, or provision of assistance or personnel, as approved in advance by the Committee;

10. *Decides* that the Libyan Arab Jamahiriya shall cease the export of all arms and related materiel and that all Member States shall prohibit the procurement of such items from the Libyan Arab Jamahiriya by their nationals, or using their flagged vessels or aircraft, and whether or not originating in the territory of the Libyan Arab Jamahiriya;

11. *Calls upon* all States, in particular States neighbouring the Libyan Arab Jamahiriya, to inspect, in accordance with their national authorities and legislation and consistent with international law, in particular the law of the sea and relevant international civil aviation agreements, all cargo to and from the Libyan Arab Jamahiriya, in their territory, including seaports and airports, if the State concerned has information that provides reasonable grounds to believe the cargo contains items the supply, sale, transfer, or export of which is prohibited by paragraphs 9 or 10 of this resolution for the purpose of ensuring strict implementation of those provisions;

12. *Decides* to authorize all Member States to, and that all Member States shall, upon discovery of items prohibited by paragraph 9 or 10 of this resolution,

seize and dispose (such as through destruction, rendering inoperable, storage or transferring to a State other than the originating or destination States for disposal) items the supply, sale, transfer or export of which is prohibited by paragraph 9 or 10 of this resolution and decides further that all Member States shall cooperate in such efforts;

13. *Requires* any Member State when it undertakes an inspection pursuant to paragraph 11 above, to submit promptly an initial written report to the Committee containing, in particular, explanation of the grounds for the inspections, the results of such inspections, and whether or not cooperation was provided, and, if prohibited items for transfer are found, further requires such Member States to submit to the Committee, at a later stage, a subsequent written report containing relevant details on the inspection, seizure, and disposal, and relevant details of the transfer, including a description of the items, their origin and intended destination, if this information is not in the initial report;

14. *Encourages* Member States to take steps to strongly discourage their nationals from travelling to the Libyan Arab Jamahiriya to participate in activities on behalf of the Libyan authorities that could reasonably contribute to the violation of human rights;

Travel ban

15. *Decides* that all Member States shall take the necessary measures to prevent the entry into or transit through their territories of individuals listed in Annex I of this resolution or designated by the Committee established pursuant to paragraph 24 below, provided that nothing in this paragraph shall oblige a State to refuse its own nationals entry into its territory;

16. *Decides* that the measures imposed by paragraph 15 above shall not apply:

(a) Where the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligation;

(b) Where entry or transit is necessary for the fulfilment of a judicial process;

(c) Where the Committee determines on a case-by-case basis that an exemption would further the objectives of peace and national reconciliation in the Libyan Arab Jamahiriya and stability in the region; or

(d) Where a State determines on a case-by-case basis that such entry or transit is required to advance peace and stability in the Libyan Arab Jamahiriya and the States subsequently notifies the Committee within forty-eight hours after making such a determination;

Asset freeze

17. *Decides* that all Member States shall freeze without delay all funds, other financial assets and economic resources which are on their territories, which are owned or controlled, directly or indirectly, by the individuals or entities listed in annex II of this resolution or designated by the Committee established pursuant to paragraph 24 below, or by individuals or entities acting on their behalf or at their direction, or by entities owned or controlled by them, and decides further that all

Member States shall ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any individuals or entities within their territories, to or for the benefit of the individuals or entities listed in Annex II of this resolution or individuals designated by the Committee;

18. *Expresses* its intention to ensure that assets frozen pursuant to paragraph 17 shall at a later stage be made available to and for the benefit of the people of the Libyan Arab Jamahiriya;

19. *Decides* that the measures imposed by paragraph 17 above do not apply to funds, other financial assets or economic resources that have been determined by relevant Member States:

(a) To be necessary for basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services in accordance with national laws, or fees or service charges, in accordance with national laws, for routine holding or maintenance of frozen funds, other financial assets and economic resources, after notification by the relevant State to the Committee of the intention to authorize, where appropriate, access to such funds, other financial assets or economic resources and in the absence of a negative decision by the Committee within five working days of such notification;

(b) To be necessary for extraordinary expenses, provided that such determination has been notified by the relevant State or Member States to the Committee and has been approved by the Committee; or

(c) To be the subject of a judicial, administrative or arbitral lien or judgment, in which case the funds, other financial assets and economic resources may be used to satisfy that lien or judgment provided that the lien or judgment was entered into prior to the date of the present resolution, is not for the benefit of a person or entity designated pursuant to paragraph 17 above, and has been notified by the relevant State or Member States to the Committee;

20. *Decides* that Member States may permit the addition to the accounts frozen pursuant to the provisions of paragraph 17 above of interests or other earnings due on those accounts or payments due under contracts, agreements or obligations that arose prior to the date on which those accounts became subject to the provisions of this resolution, provided that any such interest, other earnings and payments continue to be subject to these provisions and are frozen;

21. *Decides* that the measures in paragraph 17 above shall not prevent a designated person or entity from making payment due under a contract entered into prior to the listing of such a person or entity, provided that the relevant States have determined that the payment is not directly or indirectly received by a person or entity designated pursuant to paragraph 17 above, and after notification by the relevant States to the Committee of the intention to make or receive such payments or to authorize, where appropriate, the unfreezing of funds, other financial assets or economic resources for this purpose, 10 working days prior to such authorization;

Designation criteria

22. *Decides* that the measures contained in paragraphs 15 and 17 shall apply to the individuals and entities designated by the Committee, pursuant to paragraph 24 (b) and (c), respectively;

(a) Involved in or complicit in ordering, controlling, or otherwise directing, the commission of serious human rights abuses against persons in the Libyan Arab Jamahiriya, including by being involved in or complicit in planning, commanding, ordering or conducting attacks, in violation of international law, including aerial bombardments, on civilian populations and facilities; or

(b) Acting for or on behalf of or at the direction of individuals or entities identified in subparagraph (a).

23. *Strongly encourages* Member States to submit to the Committee names of individuals who meet the criteria set out in paragraph 22 above;

New Sanctions Committee

24. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a Committee of the Security Council consisting of all the members of the Council (herein "the Committee"), to undertake to following tasks:

(a) To monitor implementation of the measures imposed in paragraphs 9, 10, 15, and 17;

(b) To designate those individuals subject to the measures imposed by paragraphs 15 and to consider requests for exemptions in accordance with paragraph 16 above;

(c) To designate those individuals subject to the measures imposed by paragraph 17 above and to consider requests for exemptions in accordance with paragraphs 19 and 20 above;

(d) To establish such guidelines as may be necessary to facilitate the implementation of the measures imposed above;

(e) To report within thirty days to the Security Council on its work for the first report and thereafter to report as deemed necessary by the Committee;

(f) To encourage a dialogue between the Committee and interested Member States, in particular those in the region, including by inviting representatives of such States to meet with the Committee to discuss implementation of the measures;

(g) To seek from all States whatever information it may consider useful regarding the actions taken by them to implement effectively the measures imposed above;

(h) To examine and take appropriate action on information regarding alleged violations or non-compliance with the measures contained in this resolution;

25. *Calls upon* all Member States to report to the Committee within 120 days of the adoption of this resolution on the steps they have taken with a view to implementing effectively paragraphs 9, 10, 15 and 17 above;

Humanitarian assistance

26. *Calls upon* all Member States, working together and acting in cooperation with the Secretary General, to facilitate and support the return of humanitarian agencies and make available humanitarian and related assistance in the Libyan Arab Jamahiriya, and requests the States concerned to keep the Security Council regularly informed on the progress of actions undertaken pursuant to this paragraph, and expresses its readiness to consider taking additional appropriate measures, as necessary, to achieve this;

Commitment to review

27. *Affirms* that it shall keep the Libyan authorities' actions under continuous review and that it shall be prepared to review the appropriateness of the measures contained in this resolution, including the strengthening, modification, suspension or lifting of the measures, as may be needed at any time in light of the Libyan authorities' compliance with relevant provisions of this resolution;

28. *Decides* to remain actively seized of the matter.

Annex I

Travel ban

1. Al-Baghdadi, Dr Abdulqader Mohammed

   Passport number: B010574. Date of birth: 01/07/1950.

   Head of the Liaison Office of the Revolutionary Committees. Revolutionary Committees involved in violence against demonstrators.

2. Dibri, Abdulqader Yusef

   Date of birth: 1946. Place of birth: Houn, Libya.

   Head of Muammar Qadhafi's personal security. Responsibility for regime security. History of directing violence against dissidents.

3. Dorda, Abu Zayd Umar

   Director, External Security Organisation. Regime loyalist. Head of external intelligence agency.

4. Jabir, Major General Abu Bakr Yunis

   Date of birth: 1952. Place of birth: Jalo, Libya.

   Defence Minister. Overall responsibility for actions of armed forces.

5. Matuq, Matuq Mohammed

   Date of birth: 1956. Place of birth: Khoms.

   Secretary for Utilities. Senior member of regime. Involvement with Revolutionary Committees. Past history of involvement in suppression of dissent and violence.

6. Qadhaf Al-dam, Sayyid Mohammed

   Date of birth: 1948. Place of birth: Sirte, Libya.

   Cousin of Muammar Qadhafi. In the 1980s, Sayyid was involved in the dissident assassination campaign and allegedly responsible for several deaths in Europe. He is also thought to have been involved in arms procurement.

7. Qadhafi, Aisha Muammar

   Date of birth: 1978. Place of birth: Tripoli, Libya.

   Daughter of Muammar Qadhafi. Closeness of association with regime.

8. Qadhafi, Hannibal Muammar

   Passport number: B/002210. Date of birth: 20/09/1975. Place of birth: Tripoli, Libya. Son of Muammar Qadhafi. Closeness of association with regime.

9. Qadhafi, Khamis Muammar

   Date of birth: 1978. Place of birth: Tripoli, Libya.

   Son of Muammar Qadhafi. Closeness of association with regime. Command of military units involved in repression of demonstrations.

10. Qadhafi, Mohammed Muammar

Date of birth: 1970. Place of birth: Tripoli, Libya.

Son of Muammar Qadhafi. Closeness of association with regime.

11. Qadhafi, Muammar Mohammed Abu Minyar

Date of birth: 1942. Place of birth: Sirte, Libya.

Leader of the Revolution, Supreme Commander of Armed Forces. Responsibility for ordering repression of demonstrations, human rights abuses.

12. Qadhafi, Mutassim

Date of birth: 1976. Place of birth: Tripoli, Libya.

National Security Adviser. Son of Muammar Qadhafi. Closeness of association with regime.

13. Qadhafi, Saadi

Passport number: 014797. Date of birth: 25/05/1973. Place of birth: Tripoli, Libya.

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Son of Muammar Qadhafi. Closeness of association with regime.

15. Qadhafi, Saif al-Islam

Passport number: B014995. Date of birth: 25/06/1972. Place of birth: Tripoli, Libya.

Director, Qadhafi Foundation. Son of Muammar Qadhafi. Closeness of association with regime. Inflammatory public statements encouraging violence against demonstrators.

16. Al-Senussi, Colonel Abdullah

Date of birth: 1949. Place of birth: Sudan.

Director Military Intelligence. Military Intelligence involvement in suppression of demonstrations. Past history includes suspicion of involvement in Abu Selim prison massacre. Convicted in absentia for bombing of UTA flight. Brother-in-law of Muammar Qadhafi.

Annex II

Asset freeze

1. Qadhafi, Aisha Muammar

   Date of birth: 1978. Place of birth: Tripoli, Libya.

   Daughter of Muammar Qadhafi. Closeness of association with regime.

2. Qadhafi, Hannibal Muammar

   Passport number: B/002210. Date of birth: 20/09/1975. Place of birth: Tripoli, Libya. Son of Muammar Qadhafi. Closeness of association with regime.

3. Qadhafi, Khamis Muammar

   Date of birth: 1978. Place of birth: Tripoli, Libya.

   Son of Muammar Qadhafi. Closeness of association with regime. Command of military units involved in repression of demonstrations.

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6. Qadhafi, Saif al-Islam

   Passport number: B014995. Date of birth: 25/06/1972. Place of birth: Tripoli, Libya.

   Director, Qadhafi Foundation. Son of Muammar Qadhafi. Closeness of association with regime. Inflammatory public statements encouraging violence against demonstrators.

United Nations S/2011/96

Security Council

Distr.: General
28 February 2011

Original: English

Letter dated 24 February 2011 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to Security Council resolution 1945 (2010) concerning the Sudan, adopted on 14 October 2010, by which the Security Council decided to extend until 19 October 2011 the mandate of the Panel of Experts originally appointed pursuant to resolution 1591 (2005) and previously extended by resolutions 1651 (2005), 1665 (2006), 1713 (2006), 1779 (2007), 1841 (2008) and 1891 (2009), and requested me to take the necessary administrative measures.

Accordingly, I wish to inform you that I have appointed the following expert to serve on the Panel of Experts:

Claudio Gramizzi, Italy (arms).

The Panel is now at its full strength of five members.

I should be grateful if you would bring this information to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

11-24700 (E) 280211

Please recycle

United Nations S/2011/97

Security Council

Distr.: General
28 February 2011

Original: English

Letter dated 28 February 2011 from the Permanent Representative of Denmark to the United Nations addressed to the President of the Security Council

I have the honour to write to you in reference to document S/2011/10 dated 11 January 2011 concerning matters of which the Security Council is seized and on the stage reached in their consideration. I have the honour to inform you that Demark requests the retention of the following item, listed in paragraph 3 of the above-mentioned document, on the list of matters of which the Security Council is seized:

85. Strengthening international law: rule of law and maintenance of international peace and security.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) Carsten **Staur**
Ambassador
Permanent Representative to the United Nations

11-24706 (E) 010311

Please recycle

United Nations S/2011/98

Security Council

Distr.: General
3 March 2011

Original: English

Letter dated 14 February 2011 from the Secretary-General addressed to the President of the Security Council

I would like to inform the members of the Security Council that the activities undertaken to fulfil the mandate outlined in paragraph 14 of resolution 1284 (1999) and requested in a letter dated 26 March 2008 from the President of the Security Council to the Secretary-General (S/2008/206) have led to expenditures amounting to US$ 271,903 from 1 January to 31 December 2010. The funds were provided through transfers from the Iraq escrow account.

I have taken note of the statement made to the press by the Security Council on Iraq and Kuwait (SC/10130), in which the Council noted the agreement of its members to finance the continuation of the activities of the High-level Coordinator for a period of six months.

Given that all parties should translate political statements of goodwill into concrete actions to enable progress during the coming months to resolve outstanding issues, the period ahead will require further intensification of the activities of the High-level Coordinator. To that end, it would be necessary to allocate resources sufficient to finance the activities of the High-level Coordinator and his support staff until 30 June 2011, in the amount of US$ 239,750. It is suggested that these funds be earmarked from the fund balance of the escrow account created pursuant to Security Council resolution 1958 (2010).

Should the Council agree with this proposal, the funds will be transferred within the escrow account and made available to the Department of Political Affairs of the United Nations Secretariat, which supports the activities of the High-level Coordinator.

I should be grateful if you would bring the present letter to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

11-25199 (E) 040311

Please recycle

United Nations S/2011/99

Security Council

Distr.: General
3 March 2011

Original: English

Letter dated 3 March 2011 from the President of the Security Council addressed to the Secretary-General

I have the honour to respond to your letter of 14 February 2011 (S/2011/98), in which you referred to Security Council resolution 1284 (1999), by which the mandate of the High-level Coordinator for missing Kuwaitis and third-country nationals and missing Kuwaiti property was established.

Members of the Council reiterate their continuing support for the important work of the High-level Coordinator.

I wish to inform you that the Security Council has decided to accede to your request that $239,750 be earmarked from the fund balance of the escrow account created pursuant to Security Council resolution 1958 (2010) to finance the continuation of the activities of the High-level Coordinator and his support staff until 30 June 2011.

The Security Council requests a comprehensive report on progress during the period of the present mandate of the High-level Coordinator by 30 June 2011.

(*Signed*) **Li** Baodong
President of the Security Council

11-25205 (E) 040311

Please recycle

United Nations A/65/763–S/2011/100

General Assembly
Security Council

Distr.: General
1 March 2011
English
Original: Russian

General Assembly
Sixty-fifth session
Agenda item 38
The situation in Afghanistan

Security Council
Sixty-sixth year

Letter dated 17 February 2011 from the Chargé d'affaires a.i. of the Permanent Mission of Belarus to the United Nations addressed to the Secretary-General

The delegation of the Republic of Belarus, as the country which holds the chairmanship of the Collective Security Treaty Organization, has the honour to draw your attention to the statement by the Heads of States members of the Collective Security Treaty Organization on the threat of narcotic drugs emanating from Afghanistan. The document has been signed by the Presidents of Belarus, Armenia, Kazakhstan, Kyrgyzstan, the Russian Federation and Tajikistan (see annex).

We should be grateful if the text of this letter and the attached statement could be circulated as documents of the Security Council and of the General Assembly under agenda item 38.

(*Signed*) Zoya **Kolontai**

11-24819 (E) 110311 110311

Please recycle

Annex to the letter dated 17 February 2011 from the Chargé d'affaires a.i. of the Permanent Mission of Belarus to the United Nations addressed to the Secretary-General

Statement by the Heads of States members of the Collective Security Treaty Organization on the threat of narcotic drugs emanating from Afghanistan

We, the Heads of States members of the Collective Security Treaty Organization,

Deeply convinced that illicit drug trafficking continues to be one of the greatest threats facing humanity in the twenty-first century, not only undermining people's health and well-being, but also threatening the socio-economic and political stability of individual States and the international community;

Considering that the spread of narcotic drugs from Afghanistan has attained levels that constitute a threat to peace and international security;

Recognizing that this issue cannot be considered separately from international terrorism, extremism and transnational crime and that it requires a common approach, as recognized by United Nations Member States in the Political Declaration of the twentieth special session of the General Assembly;

Considering that the priorities in combating the drug trade in Afghanistan are the full involvement of Afghanistan in combating narcotic drug production within its territory and timely cooperation on the situation in Afghanistan between the Collective Security Treaty Organization and the North Atlantic Treaty Organization (NATO);

Commending the increasing contribution made by the International Security Assistance Force towards combating the threat posed by Afghan narcotic drugs;

Recognizing the leading role of the United Nations and its specialized agencies in promoting international cooperation to combat illicit drug trafficking;

Recalling Security Council resolution 1917 (2010), the report of the Secretary-General on the situation in Afghanistan (A/64/872-S/2010/318) dated 16 June 2010 and the statement by the President of the Security Council (SC/9992) dated 23 July 2010;

Attaching great importance to the efforts of the international community and international and regional organizations to combat illicit trafficking in narcotic drugs produced in Afghanistan;

Noting that the States members of the Collective Security Treaty Organization support the aspiration and determination of United Nations Member States to overcome the world drug problem through international cooperation and national strategies to eliminate the production and distribution of narcotic drugs, and that they are open to cooperation with the United Nations and all interested international and regional organizations engaged in combating the narcotic drug threat.

Hereby call upon:

The Security Council to consider characterizing narcotic drug production in Afghanistan as a threat to international peace and security;

The Security Council to consider expanding the authority of the United Nations Assistance Mission in Afghanistan by more consistently integrating a rule of law component, including in the light of experience gained in the field by United Nations missions in various countries;

The United Nations to conduct regular assessments of the effectiveness of narcotic drug control assistance provided to Afghanistan and neighbouring countries based on proportionate and verifiable national counter-narcotic activity indicators, and to step up assistance to Afghanistan, including to the Joint Coordination and Monitoring Board, in order to draw more attention to cooperation on matters related to implementation of the National Drug Control Strategy adopted by the Government of Afghanistan in 2003;

The United Nations to expand the role of the United Nations Assistance Mission in Afghanistan in coordinating efforts by the Afghan authorities and other institutions to carry out counter-narcotics strategies at the provincial and national levels, as well as plans of action to eliminate drug crops and drug trade infrastructure in Afghanistan;

Interested States and international organizations to comply strictly with Security Council resolution 1817 (2008) and to improve monitoring of the trade in precursors in order to prevent them from being smuggled into Afghanistan;

The Government of Afghanistan, its development partners and all members of the international community to implement the Afghanistan Compact, adopted at the London Conference on Afghanistan held on 31 January and 1 February 2006 and approved by the Security Council on 15 February 2006, which provides for a sustained and significant reduction in the production and trafficking of narcotic drugs with a view to their complete elimination and which considers counter-narcotics to be a priority.

For the Republic of Armenia
(*Signed*) Serzh **Sargsyan**

For the Republic of Belarus
(*Signed*) Alyaksandr **Lukashenka**

For the Republic of Kazakhstan
(*Signed*) Nursultan **Nazarbayev**

For the Kyrgyz Republic
(*Signed*) Roza **Otunbaeva**

For the Russian Federation
(*Signed*) Dmitry **Medvedev**

For the Republic of Tajikistan
(*Signed*) Emomali **Rahmon**

United Nations S/2011/101

Security Council

Distr.: General
8 March 2011

Original: English

Letter dated 28 February 2011 from the Permanent Representative of Austria to the United Nations addressed to the President of the Security Council

I have the honour to write to you in reference to document S/2011/10 dated 11 January 2011 concerning matters of which the Security Council is seized and on the stage reached in their consideration. I have the honour to inform you that Austria requests the retention of the following items listed in paragraph 3 of the above-mentioned document.

80. Protection of United Nations personnel, associated personnel and humanitarian personnel in conflict zones

81. General issues relating to sanctions

85. Strengthening international law: rule of law and maintenance of international peace and security

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Thomas **Mayr-Harting**
Ambassador

11-25543 (E) 080311

Please recycle

United Nations S/2011/102

Security Council

Distr.: General
22 February 2011

Original: English

Letter dated 21 February 2011 from the Chargé d' affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council

In accordance with rule 3 of the provisional rules of procedures of the Security Council, I have the honour to request an urgent meeting of the Council, to discuss the grave situation in Libya and to take the appropriate actions.

(*Signed*) Ibrahim **Dabbashi**
Ambassador
Chargé d'affaires a.i.

11-24902 (E) 010311

Please recycle

United Nations A/65/766–S/2011/103

General Assembly
Security Council

Distr.: General
2 March 2011

Original: English

General Assembly
Sixty-fifth session
Agenda items 36 and 37

The situation in the Middle East

Question of Palestine

Security Council
Sixty-sixth year

Letter dated 28 February 2011 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith the Joint Russia-European Union Statement on the Situation in North Africa and the Middle East, of 24 February 2011 (see annex).

As agreed with the delegation of the European Union to the United Nations, I would like to request your kind assistance in having the present letter and the Statement circulated as a document of the General Assembly, under agenda items 36 and 37, and of the Security Council.

(*Signed*) Vitaly **Churkin**

11-24985 (E) 040311

Please recycle

Annex to the letter dated 28 February 2011 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

[Original: English and Russian]

Joint Russia-European Union Statement on the Situation in North Africa and the Middle East

24 February 2011

The Minister for Foreign Affairs of the Russian Federation and the European Union High Representative for Foreign Affairs and Security Policy share concern over developments in a number of countries of North Africa and the Middle East.

Reaffirming the positions set forth by Moscow and Brussels in recent days, as well as expressing support for the statement by the Council of the Arab League and the Security Council press statement issued on 22 February 2011, the Minister and the High Representative declare the following.

We condemn and consider unacceptable the use of military force to break up peaceful demonstrations, as well as any other manifestations of violence, and insist on an immediate cessation of such actions. In particular, we strongly condemn the violence and the use of force against civilians in Libya, which has resulted in the deaths of hundreds of people. We express deep regret and condolences for the loss of human lives. We urge all parties involved to show responsibility, respect human rights and international humanitarian law, and ensure the safety of civilians and foreign nationals.

Massive protests expose a range of problems that have accumulated within societies. These problems should be addressed by the peoples of the relevant countries through national dialogue involving all political forces and society strata aimed at reaching public consensus regarding the ways out of the crisis and conducting the much-needed transformations. Democratization processes should evolve in peaceful forms and within a legal framework.

Supporting the peoples of Arab countries in their aspirations for a more just and prosperous life, Russia and the European Union stand ready to provide economic and other assistance to interested countries at their request.

The Minister and the High Representative stress in particular that current upheavals in countries of the region should not be used as a pretext for preserving an impasse in the efforts to establish comprehensive and lasting peace in the Middle East. On the contrary, these efforts should be intensified. The achievement of a just settlement of the Arab-Israeli conflict is a crucially important component of the efforts aimed at stabilization and sustainable development of the region as a whole. As members of the Middle East Quartet of international mediators, the European Union and Russia will seek, at its ministerial meeting in Paris in mid-March, the adoption of effective decisions encouraging the parties to resume Palestinian-Israeli dialogue and opening the way to a comprehensive settlement in the Middle East within the existing international legal framework without any attempts to prejudge the final status issues through unilateral actions, first of all through settlement activities.

The Minister and the High Representative reaffirm their support for the efforts to re-establish Palestinian unity on the basis of principles enshrined in the Arab Peace Initiative.

United Nations A/65/764–S/2011/104

General Assembly
Security Council

Distr.: General
2 March 2011

Original: English

General Assembly
Sixty-fifth session
Agenda items 34, 39, 66 and 75

Security Council
Sixty-sixth year

Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Elimination of racism, racial discrimination, xenophobia and related intolerance

Responsibility of States for internationally wrongful acts

Letter dated 28 February 2011 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General

I would like to draw your attention to the fact that over the past years Azerbaijan has circulated letters at the United Nations and other international forums regarding the tragic events of Khojali, during the war, unleashed by Azerbaijan against Nagorno-Karabakh.

Azerbaijan is consistently misrepresenting and distorting the reality of those tragic events, which, according to the testimonies of various international organizations, high-level Azerbaijani officials, including then-President Ayaz Mutalibov, were organized by the Azerbaijani Popular Front opposition group in order to oust the then Government. Further details on the reality of those events are contained in document A/59/743-S/2005/184.

Regrettably, during recent years the Azerbaijani leadership has been using the tragedy of this event for dramatically increasing anti-Armenian propaganda and hatred towards Armenians, inside and outside of Azerbaijan.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 34, 39, 66 and 75, and of the Security Council.

(*Signed*) Garen **Nazarian**
Ambassador
Permanent Representative

11-24979 (E) 030311

Please recycle

United Nations S/2011/105

Security Council

Distr.: General
2 March 2011

Original: English

Letter dated 1 March 2011 from the Secretary-General addressed to the President of the Security Council

Pursuant to Security Council resolution 1244 (1999), I have the honour to convey the attached report on the international security presence in Kosovo, covering the period from 1 October to 31 December 2010 (see annex).

I should be grateful if you would bring it to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

11-25046 (E) 070311

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Annex

Report to the United Nations on the operations of the Kosovo Force

Introduction

1. This report is submitted pursuant to the reporting requirement for the Kosovo Force (KFOR) under Security Council resolution 1244 (1999). The report covers the period from 1 October to 31 December 2010.

2. As at 31 December 2010, the total number of KFOR troops in theatre was 8,181. This number included 1,528 troops from non-NATO countries.

3. The situation in Kosovo remained generally calm throughout the reporting period, against the background of the elections of 12 December, the poor economic situation and inter-ethnic tensions. KFOR continued to implement its change in military posture, while contributing a safe and secure environment and freedom of movement as well as retaining its capacity to support the Kosovo police and the European Union Rule of Law Mission (EULEX) as third responder should the situation demand it.

Security situation

4. During the reporting period KFOR operations continued under the Deterrent Presence posture. In close in-theatre cooperation with the Kosovo police and EULEX, KFOR troops sustained their contribution towards maintaining a safe and secure environment and the freedom of movement by conducting intelligence-driven operations, using situational awareness, and through the rapid deployment of manoeuvre forces and reserves if and where deemed necessary to deter violence and deal with crisis situations.

5. KFOR also contributed to the security preparations to support the enthronement of the new Serbian Orthodox Patriarch, Patriarch Irinej, on 3 October 2010 in Pejë/Peć. The Kosovo police supported the operation by controlling and facilitating traffic along the main routes to Pejë/Peć and in Pejë/Peć downtown, while EULEX focused its efforts as second responder in backing the Kosovo police. KFOR assumed full responsibility for the security of the Patriarchate, since it is under the direct protection of KFOR troops.

6. From 4 October 2010, KFOR conducted enhanced security operations and vehicle checkpoint operations in northern Kosovo, in close in-theatre cooperation with EULEX and the Kosovo police. As third responder, KFOR supported the security arrangements for the elections of 12 December.

7. On 29 October 2010, the North Atlantic Council decided to reduce KFOR troops in Kosovo further as a result of a positive assessment of the security situation on the ground. KFOR plans to reduce its troops by early 2011 to approximately 5,000.

8. On 18 November 2010, the KFOR Commander, Major General Erhard Bühler, and the Chief of General Staff of the Serbian Armed Forces, Lieutenant General Miloje Miletić, held a high-level meeting of the Joint Implementation Commission of the Military-Technical Agreement in Niš. A further high-level meeting of the Joint Implementation Commission was held on 14 December 2010 in Belgrade.

9. On 14 December 2010, KFOR handed over the static guarding responsibility at the Gorioč Monastery to the Kosovo police. This was the fifth so-called property with designated special status to be transferred to Kosovo Police lead security responsibility in that manner.

New tasks

10. The development of the Kosovo Security Force continues. However, concerns remain about the ethnic balance, shortfalls in mentors and training capabilities, and inadequate equipment and fund donations. At the end of the reporting period the security force had around 2,150 members and was at nearly 85 per cent of its mandated ceiling, with 8 per cent comprising ethnic minorities.

11. During the reporting period, security force engineers continued to support the EULEX Office of Missing Persons in facilitating the investigation of a suspected mass grave site in the vicinity of Obiliq/Obilić. The project was still in its preparatory phase, with security force engineers removing the top layers of soil down to a "zero grade" and level site. The security force remained actively involved in other simultaneous projects, such as a new orphanage at Klinë/Klina.

12. On 18 October 2010, the security force participated in a disaster response exercise at the Pristina Airport. The exercise was conducted as part of a recurring evaluation by the International Civil Aviation Organization, and is a mandatory requirement for certification of airports operating at an international standard. The security force supported the exercise with the deployment of medical staff and ambulances as well as firefighting and search and rescue support elements.

13. On 2 December 2010, at the request of the Albanian authorities, a security force team deployed in the northern Albanian district of Shkodra to assist with relief efforts during the heavy flooding that affected the area. Initially the team consisted of 59 members, 14 vehicles and 4 boats, but when the flood situation worsened, on 7 December 2010 the security force sent an additional contribution of 36 members, 15 trucks and 2 ambulances. The main task of the detachment was to rescue and evacuate people from the flooded area. The security force ended this mission on 18 December 2010.